

- **PLEASE NOTE:** At 5:30 p.m. the Council will meet in a Study Session with Lisa Cochran, Main Street Director, regarding the installation of light pole banners. Additional topics of discussion will include an update on Merrill Hall and the 2024 Preliminary Levy. If time allows, there will be a general update on various boards and commissions.



OWATONNA CITY COUNCIL MEETING
Tuesday, September 19, 2023 at 7:00 PM
Gainey Room at the Owatonna Public Library
105 N Elm Avenue
Roll Call: Council Members Svenby, Voss, Dotson,
Burbank, Boeke, Raney & Schultz

1. INTRODUCTORY ACTIONS: Call to Order; Roll Call and Pledge of Allegiance

1.1. Council Agenda

1.2. Public Hearing - Modify Development District #3 and Establish Tax Increment Finance District 3-17

1.2.1. Resolution 81-23 Establish Tax Increment Finance District 3-17 and approve the use of Tax Increment Financing

1.2.2. Resolution 82-23: Approve Development Agreement - FoamCraft Packaging, Inc.

1.3. Mayor Kuntz

1.3.1. Recommend Appointment to the HRA - Julie Fiske

2. CONSENT AGENDA ITEMS

2.1. Minutes – City Council Meeting – September 5, 2023

2.2. Minutes - Board / Commission Meetings

2.2.1. Planning Commission Meeting - August 22, 2023

2.2.2. Planning Commission Meeting - September 12, 2023

2.2.3. EDA Meeting - August 23, 2023

2.2.4. HRA Meeting - August 28, 2023

2.2.5. Human Rights Commission Meeting - August 8, 2023

2.3. Department Reports:

2.3.1. August Report - Building Inspections

2.3.2. August Crime Clock - Police Department

2.3.3. August Report and Dashboard - Fire Department

2.3.4. Weed/Nuisance Inspection Report - September 12, 2023

2.4. Licenses/Permits

2.4.1. Exempt Permit - Raffle - MN Pheasants Inc. - October 14, 2023

2.4.2. Event Permits

2.4.2.1. Chili Feed and Open House at Fire Hall - October 8, 2023

2.4.2.2. Business After Hours - Owatonna Chamber of Commerce - September 26, 2023

2.4.3. Renew Annual Charitable Gambling Licenses

2.5. Miscellaneous

2.5.1. Resolution 80-23 Authorize Contract for Purchases - Fame Awards

2.5.2. Facility Use Agreement - Owatonna Diving Club

2.5.3. Havana Road State Aid Project Change Order #2 - Wencil Construction.

3. **ACTION ITEMS**

3.1. Finance Report

3.2. Ordinances

3.2.1. Second/Final Reading Proposed Ordinance 23-16: Amend Chapter 133 to Permit a Culling Event for Deer Management

3.2.2. Second/Final Reading Proposed Ordinance 23-17: RZ-5 Rezone from B-2 to I-1 at 3745 Hoffman Drive

3.2.3. First Reading Proposed Ordinance 23-18: RZ-6 Steele County Rezoning Request from B-2 to B-3 at 121 Mill Street East

3.2.4. First Reading Proposed Ordinance 23-19: Adopt S-7 Supplement to the 2015 Ordinance Code

3.3. Resolutions:

3.3.1. Resolution 83-23: Preliminary Plat of Cedar Mill Addition

3.3.2. Resolution 84-23: CUP-9 Jail Annex Loading Zone CUP

3.3.3. Resolution 85-23: CUP-10 Minor PUD Amendment for Mineral Springs Estates

3.3.4. Resolution 86-23: Final Plat of Mineral Springs Estates

3.3.5. Resolution 87-23: Authorize Grant Agreement Submission - General Obligation Bonding Funds - Minnesota Public Facilities Authority

3.3.6. Resolution 88-23: Authorize Grant Agreement Submission - General Funds - Minnesota Public Facilities Authority

3.3.7. Resolution 89-23 Declare Costs to be Assessed - Weed and Nuisance Compliance

3.3.8. Resolution 90-23 Set Date for Public Hearing - Proposed Assessments - Weed and Nuisance Compliance

3.3.9. Resolution 91-23: 2024 Proposed City Budget and Levy

3.3.10. Res 92-23 Housing & Redevelopment Authority (HRA) Proposed 2024 Levy and Budget

3.4. Miscellaneous

3.4.1. 3-Year Strategic Plan: 2024-2026

3.4.2. Wastewater Treatment Facility Expansion Change Order #7 - Rice Lake Construction

4. **STAFF REPORTS**

5. **PUBLIC COMMENTS:** Please limit comments to 2 minutes. Please approach the microphone, sign-in and state your name and address for the record after being acknowledged by the Council President. Speakers will be limited to two minutes to deliver their comments. Those speaking are asked to conduct themselves in a respectful manner as they deliver their comments. Audience members are asked to refrain from reacting to comments. The City Council will not respond directly to comments in this venue or take immediate action in response to them.

6. **COUNCIL COMMENT AND GENERAL INFORMATION**

7. **ADJOURN**



Administration Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Greg Kruschke, Community Development Manager
SUBJECT: Public Hearing - Modify Development District #3 and Establish Tax Increment Finance District 3-17

Purpose:

Hold the public hearing regarding the modification to Development District #3 and establishment of Tax Increment Finance District 3-17.

Background:

Attached is copy of the public hearing notice, a memo from Northland Securities, and the proposed TIF Plan.

Budget Impact:

Minimal cost to publish the public hearing notice.

Staff Recommendation:

This public hearing is to hear relative comments and no action is taken during the public hearing. There are two resolutions for the Council to consider following this public hearing.

Attachments:

1. Public Hearing Notice - TIF Dist #3-17
2. Northland Memo Owatonna 3-17 for Public Hearing
3. TIF Plan - Proposed TIF #3-17

CITY OF OWATONNA
STEELE COUNTY
STATE OF MINNESOTA

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council (the "Council") of the City of Owatonna, Steele County, Minnesota, will hold a public hearing on September 19, 2023, at 7:00 p.m., at the City Hall, **540 West Hills Circle** in the City of Owatonna, Minnesota (the "City"), relating to the proposed modification of Development District No. 3, the proposed modification of the Development Program for Development District No. 3, the proposed establishment of Tax Increment Financing District (Economic Development) No. 3-17 (FoamCraft) within Development District No. 3, and the proposed adoption of a Tax Increment Financing Plan therefor, all pursuant to and in accordance with Minnesota Statutes, Sections 469.124 through 469.133 and Sections 469.174 through 469.1794. Copies of the Development Program, as modified, the proposed Tax Increment Financing Plan are on file and available for public inspection at the office of the City Administrator at City Hall.

The property included in Development District No. 3 is described in the Development Program, as amended, on file in the office of the City Administrator. The property proposed to be included in Tax Increment Financing District (Economic Development) No. 3-17 (FoamCraft) is described in the Tax Increment Financing Plan on file in the office of the City Administrator.

A map of Development District No. 3 and Tax Increment Financing District (Economic Development) No. 3-17 (FoamCraft) is attached as Exhibit 1:

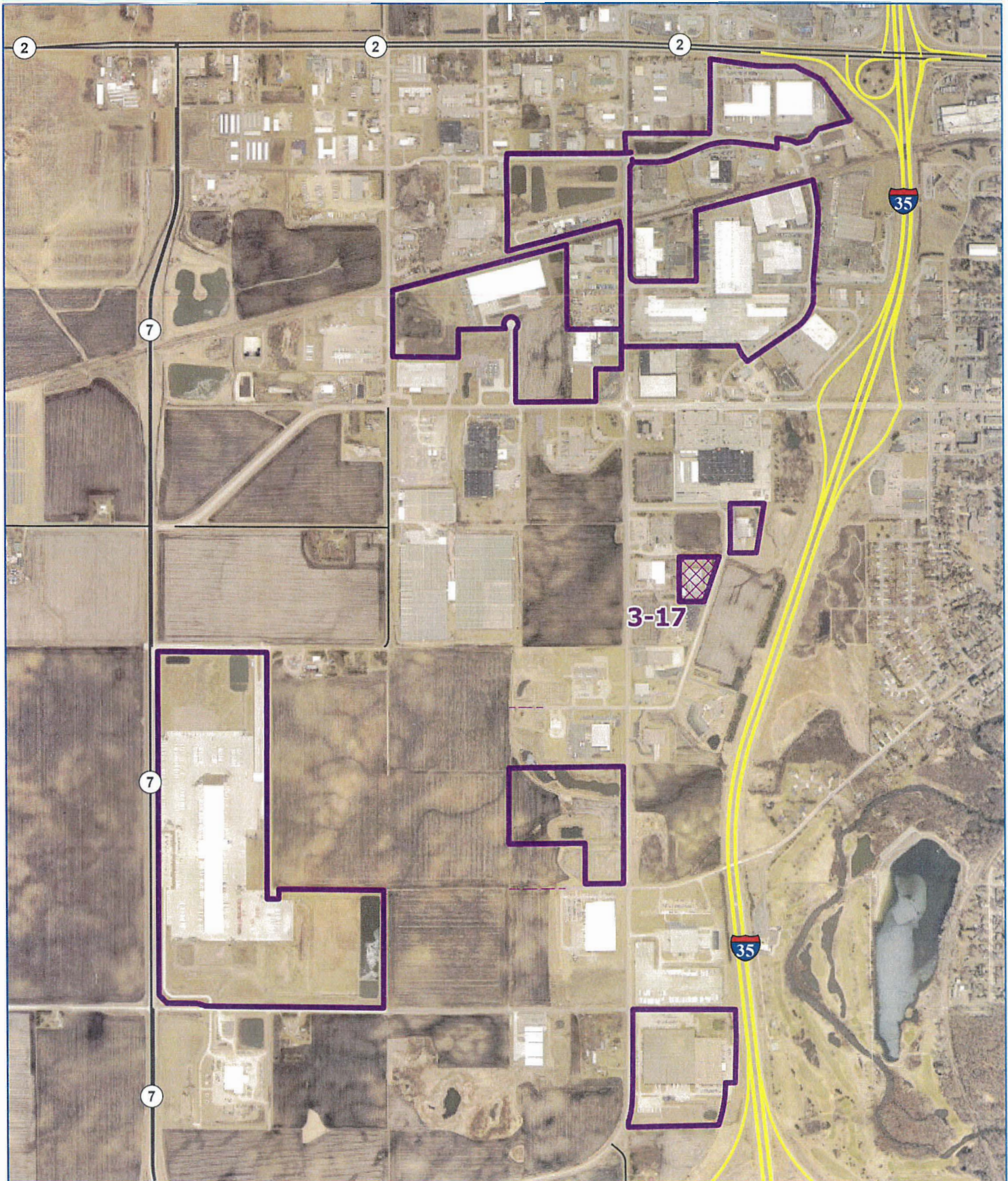
All interested persons may appear at the hearing and present their views orally or in writing prior to the hearing.

BY ORDER OF THE CITY COUNCIL OF
THE CITY OF OWATONNA, MINNESOTA

BY: Kris M. Busse
Kris M. Busse, City Administrator/City Clerk

Exhibit 1

City of Owatonna Map of Boundaries of Development District No. 3 and Tax Increment Financing Districts within Development District No. 3



July 26, 2023



Tax Increment Financing District No. 3-17



Tax Increment Financing Districts within Development District No. 3



0 0.25 0.5 Miles

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This information is a compilation of records, information, and data located in various city, county, and state offices and other sources, affecting the area shown, and is to be used for reference purposes only.



MEMORANDUM

To: Greg Kruschke, City of Owatonna
From: Tammy Omdal
Date: September 12, 2023
Re: Proposed Tax Increment Financing District No. 3-17

The City of Owatonna (the "City") received a request for financial assistance from FoamCraft Packaging, Inc. (the "Developer") for the construction of an approximately 15,625 square foot expansion to an existing 30,625 square foot building to provide additional space for warehousing and distribution (the "Project"). The site for the Project is located on a single parcel (PID 17-479-0105) at 400 Alexander Drive Southwest in the City (the "Property").

The City has scheduled a public hearing on September 19, 2023 to consider the establishment of Tax Increment Financing (Economic Development) District No. 3-17 (the "TIF District") within Development District No. 3. Following the public hearing, the City Council may consider adoption of a resolution to establish the TIF District. The establishment of the TIF District by the City provides the authority to consider approval of financial assistance to the Developer for the Project at a future date.

The purpose of this memorandum is to provide information on tax increment financing authority and process followed for establishing the TIF District, along with a summary of the plan for the TIF District.

Background on TIF Authority

The establishment of tax increment financing (TIF) economic development district is a statutory financing tool that can be used to promote economic development in areas where it would otherwise not occur. The establishment of the TIF district will allow the City to "capture" the revenues generated by the increase in net tax capacity resulting from the expansion within the TIF District. The revenue comes from the increase in property taxes, with some limited exceptions to the taxes that may be captured within a TIF district. For example, referendum taxes and state property taxes cannot be captured with the TIF district.

The maximum duration to capture the tax increments from an economic development district is 8 years after the first year of tax increment collections for a total of 9 years.

The City may use tax increments to assist the developer with financing of site improvement costs related to the expansion. Certain findings must be made by the City when approving the TIF district, including a finding that the project, as proposed, is feasible only through assistance, in part, from tax increment financing. This is commonly referred to as the "but for" finding.

The Project qualifies as an economic development TIF district. The Project is for warehousing and distribution, and 100% of the planned building expansion will be used for this purpose. The Project will meet the following conditions:

- (1) it will discourage commerce, industry, or manufacturing from moving their operations to another state or municipality; or
- (2) it will result in increased employment in the state; and
- (3) it will result in preservation and enhancement of the tax base of the state.

Process for Approval

The first step in creating the TIF District is the adoption of a Tax Increment Financing Plan for the TIF District (the “TIF Plan”). The TIF Plan provides information about the Project to be funded with tax increment from the TIF district and authorizes the use of tax increment from the district to pay TIF-eligible project costs, among other items.

A tax increment financing district must be located within the boundaries of a specified development project area. The City has previously established Development District No. 3 (the “Project Area”), as modified over time, and set the boundaries of the Project Area as shown in the map included in Exhibit V of the TIF Plan. It is proposed that the City modify the boundaries of the Project Area, and the related Development Plan, to include the addition of the Property.

After the TIF District is established by the City, the City may consider its actions, including a contract for private development with the Developer for tax increment financing assistance.

Notice to County and School District

Before the public hearing and the establishment of the TIF District, the City must provide certain notices to the county and the school district, including providing a copy of a draft tax increment financing plan. The county and school district may comment on the proposed plan and TIF district but cannot prevent the creation of the district. On behalf of the City, Northland provided notification and a draft copy of the Plan for the TIF District to Steele County and Owatonna Public Schools (District No. 761) on August 18, 2023, asking to receive comments. As of the date of this memo, Northland has received no comments from the County or School District regarding the establishment of the District. Any comments received prior to the public hearing will be noted during the hearing.

Adoption of TIF Plan

Following the public hearing, the City Council may adopt the resolution approving modification to Development District No. 3 and adopting the modified Development Plan for Development District No. 3 relating thereto, and the establishment of the TIF District and the adoption of the Tax Increment Financing Plan (the “TIF Plan”) relating thereto, among other actions.

TIF Plan Summary and Terms for Assistance

The summary that follows highlights the key elements of the draft TIF Plan. The TIF Plan provides for the City to capture 100% of the tax increments collected from the Property within the TIF District to reimburse City administrative costs for the TIF District and site improvement/preparation costs to

be incurred by the Developer within the TIF District in an amount not to exceed \$138,459, payable with simple non-compounded interest at rate of 5.0%.

The Developer will receive 90% of the tax increment derived from the Property until the Developer is reimbursed \$138,459 plus interest, or until the maximum duration of the TIF District is reached, whichever occurs first.

Item	Plan Section	Highlights from TIF Plan
City Plans and Development Program	3.02	Section 2.02 of the TIF Plan summarizes the proposed development and explains how this development is consistent with local plans and policies of the City.
Boundaries of TIF District	3.03.2	The TIF District includes one parcel. The parcel is owned by the Developer.
Type of District	3.03.3	The TIF District is an economic development district. The district will meet the statutory criteria for this type of district as a warehousing and distribution facility.
Estimated Tax Increment	3.04.1	The Project is estimated to create annual tax increment revenue of \$20,341 in the first year of the TIF District or upon completion of development. This amount is based on the following factors: • Total estimated taxable market value of the Property of \$2,213,750 after completion to be classified as commercial-industrial. • The original net tax capacity value of the TIF District is estimated based on the current market value of the Property for taxes payable in 2023. A property's net tax capacity is determined by multiplying the property's taxable market value by the relevant class rate or rates. Class rates are set by statute, vary by property type, and are uniform statewide. For purpose of calculating tax increments, the county auditor will set the original net tax capacity value of the TIF District based on the future use (commercial-industrial). • The estimated combined local tax rate is 137.24% based on Pay 2023 tax rates. This rate is used to estimate tax increments. Upon request to the county auditor to certify the TIF District, and the anticipated timing of the request, it is anticipated the final certified tax rate for the TIF District will be based on the local tax rate for taxes payable in 2024.

Item	Plan Section	Highlights from TIF Plan
		The actual estimated market value of the property will be set by the Assessor. Changes in property values and tax rates will alter the amount of tax increment revenue from year-to-year. The TIF Plan includes estimates for planning purposes only and the actual amounts will vary.
Project Costs, Estimated Source and Uses of Funds, Administrative Expense	3.04.2 3.04.3 3.04.4	Tax increment revenue will be used to pay Project Costs related to development of the Property. The TIF Plan provides for the reimbursement of up to \$205,382 of total estimated Project costs. The Project Costs include \$138,459 for site improvement/preparation costs to be incurred by the Developer and \$20,538 for City administrative costs. Reimbursement of Project Costs will be on a pay-go basis. As tax increment is collected by the City upon distribution of taxes from the county, the City will use the available tax increments to reimburse the Developer and itself for actual costs incurred. The terms for payment to the Developer will be detailed in a written contract between the City and the Developer.
Bonded Indebtedness	3.04.6	All payments made by the City will be on a “pay-go” basis payable solely from available tax increments and will not be a general obligation of the City.
Duration	3.04.7	The TIF Plan elects a duration of nine (9) years which is the maximum duration allowed for an economic development district. The estimated month and year of first receipt of tax increment is July 2025. The estimated required decertification date based on year 2025 as the first year of tax increment collection is December 31, 2033.

DRAFT

CITY OF OWATONNA, MINNESOTA

**MODIFIED DEVELOPMENT PROGRAM FOR DEVELOPMENT
DISTRICT NO. 3**

**AND TAX INCREMENT FINANCING PLAN FOR
TAX INCREMENT FINANCING (ECONOMIC DEVELOPMENT)
DISTRICT NO. 3-17 (FOAMCRAFT)**

PROPOSED

PUBLIC HEARING DATE: SEPTEMBER 19, 2023

PLAN APPROVED: _____, 2023

REQUEST FOR CERTIFICATION: _____, 2023

TIF DISTRICT CERTIFIED: _____, 2023



Northland Securities, Inc.
150 South Fifth Street, Suite 3300
Minneapolis, MN 55402
(800) 851-2920
Member NASD and SIPC
Registered with SEC and MSRB

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ARTICLE I – INTRODUCTION AND DEFINITIONS

SECTION 1.01 INTRODUCTION

The City of Owatonna propose to provide tax increment financing assistance through the establishment of Tax Increment Financing (Economic Development) District No. 3-17 within Development District No. 3 to assist with the financing of certain project costs for the construction of an approximate 15,625 square feet expansion to an existing approximately 30,625 square feet manufacturing facility by a private developer.

The Development District serves as the “project area” for tax increment financing districts established within its boundaries. The Development Program describes the City’s objectives for the development of the area within the Development District and the use of tax increment financing within. This document contains the Modified Development Program for achieving the objectives of Development District No. 3 through the adoption of a Tax Increment Financing Plan for Tax Increment Financing (Economic Development) District No. 3-17.

Below is a summary of the municipal action that has been taken in connection with Development District No. 3 and establishment of tax increment financing districts therein to date and as proposed:

- Development District No. 3 was created by the City on November 18, 2000, amended July 5, 2006, September 18, 2007, September 2, 2008, June 19, 2012, February 19, 2013, December 17, 2013, April 15, 2014, June 7, 2016, August 14, 2017, September 3, 2019 (for the Costco warehouse/distribution project), September 3, 2019 (for the Daikin Applied Americas, Inc. warehouse project), April 7, 2020 (for the Bosch Automotive warehouse/distribution project), May 17, 2022 (for the AMP Automation Manufacturing Project), and is hereby amended.
- This modification constitutes the fourteenth amendment of the Development District Plan.
- All provisions of the Development District Plan adopted November 18, 2003, and amended July 5, 2006, September 18, 2007, September 2, 2008, June 19, 2012, February 19, 2013, December 17, 2013, April 15, 2014, June 7, 2016, August 14, 2017, September 3, 2019, April 7, 2020, and May 17, 2022, are hereby incorporated by reference. The purpose of this amendment is to increase the boundaries of the Development District by the addition of the property described in Section 3.03.2 and shown on the map in Exhibit V of this Plan.

Tax increment financing districts previously established and the tax increment financing plans related thereto, within Development District No. 3, remain in full force and effect and are not modified.

SECTION 1.02 DEFINITIONS

The terms defined below, for purposes hereof, and for purposes of Development District No. 3 and the Modified Development Program related thereto and for Tax Increment Financing District No. 3-17 and the Tax Increment Financing Plan related thereto which is established and approved within Development District No. 3, shall have the following respective meanings, unless the context specifically requires otherwise.

1. “City” means the City of Owatonna, Minnesota.
2. “City Council” means the City Council of the City.
3. “County” means Steele County, Minnesota.

4. "Developer" means the private party undertaking construction within the TIF District.
5. "Development" means the proposed construction of an approximately 15,625 square feet expansion to an existing approximately 30,625 square feet manufacturing facility in the City.
6. "Development District" means Development District No. 3 in the City, created and established pursuant to and in accordance with the Development District Act.
7. "Development District Act" means Minnesota Statutes, Sections 469.124 through 469.133, as amended and supplemented from time to time.
8. "Development Program" means the Development Program for the Development District, as amended and supplemented from time to time.
9. "Public Development Costs" means the cost of the Development, including administrative expenses, and interest as a financing cost, which will be paid or financed with tax increments from the TIF District, but not to exceed the estimated tax increment generated by the development activity expected to occur within the Development District and TIF District.
10. "Property" means the approximate 4.17 acre site within the TIF District as described in Section 3.03.2 of the TIF Plan.
11. "Project Area" means the geographic area of the Development District.
12. "Project Costs" means Public Development Costs.
13. "School District" means Owatonna Public Schools, Independent School District 761.
14. "State" means the State of Minnesota.
15. "Tax Increment Bonds" means any tax increment bonds as defined in Section 469.174, subd. 3 of the TIF Act, issued by the City to finance Public Development Costs, and any obligations issued to refund such bonds, pursuant to Section 469.178 of the TIF Act.
16. "TIF Act" means Minnesota Statutes, Sections 469.174 through 469.1794 as amended, both inclusive.
17. "TIF District" means Tax Increment Financing (Economic Development) District No. 3-17 (FoamCraft).
18. "TIF Plan" means the tax increment financing plan for the TIF District (this document).

SECTION 1.03 EXHIBITS

The following exhibits are attached to and by reference made a part of the Development Program and Tax Increment Financing Plan:

- Exhibit I: Present Value Analysis.
- Exhibit II: Projected Tax Increment
- Exhibit III: Impact on Other Taxing Jurisdictions
- Exhibit IV: Estimated Tax Increment Over Life of District
- Exhibit V: Maps of Development District and TIF District

SECTION 1.04 PLAN PREPARATION

This document was prepared for the City by Northland Public Finance, part of Northland Securities, Inc.

ARTICLE II - DEVELOPMENT PROGRAM

SECTION 2.01 OVERVIEW

The City hereby modifies Development District No. 3 and the related Development Program as a tool to achieve the objectives described in Section 2.02. The Development District serves as the "Project Area" for the tax increment financing districts established within its boundaries. The Development Program describes the City's objectives for the development of this area and the use of tax increment financing.

SECTION 2.02 STATEMENT OF OBJECTIVES

The establishment and modification of the Development District pursuant to the Development District Act is necessary and in the best interests of the City and its residents and is necessary to give the City the ability to meet certain public purpose objectives that would not be obtainable in the foreseeable future without intervention by the City in the normal development process.

The City intends, to the extent permitted by law, to accomplish the following objectives through the implementation of the Development Program:

1. Provide for the acquisition of land and construction and financing of the private development in the Development District which are necessary for the orderly and beneficial development of the Development District and adjacent areas of the City.
2. Encourage the redevelopment of blighted and under-utilized areas of the City.
3. Facilitate the removal of deteriorated structures and encourage redevelopment in commercial areas providing high levels of property maintenance and private investment.
4. Provide parking needed to support development and encourage use of shared parking to promote additional private development.
5. Build, maintain improve, and reconstruct public improvements and utilities needed to support development.
6. Promote and secure the prompt and unified development of certain property in the Development District, which property is not now in productive use or in its highest and best use, with a minimum adverse impact on the environment, and thereby promote and secure the desirable development of other land in the City.
7. Promote and secure additional employment opportunities within the Development District and the City for residents of the City and the surrounding area, thereby improving living standards and reducing unemployment and the loss of skilled and unskilled labor and other human resources in the City.
8. Secure the increase in values of property subject to taxation by the City, the School District, the County, and other taxing jurisdictions in order to better enable such entities to pay for governmental services and programs that they are required to provide.
9. Promote the concentration of new unified development consisting of desirable industrial and other appropriate development in the Development District so as to maintain these areas in a manner compatible with its accessibility and prominence in the City.
10. Encourage the expansion and improvement of local business, economic activity and development, whenever possible.
11. Create a desirable and unique character within the Development District through quality land use alternatives and design quality in new buildings.

SECTION 2.03 BOUNDARIES OF DEVELOPMENT DISTRICT

The boundaries of the Development District are coterminous with the boundaries of the following tax increment financing districts, as shown in the map in Exhibit V.

- Tax Increment Financing District No. 3-5 (Sputtering Components)
- Tax Increment Financing District No. 3-6 (Viracon)
- Tax Increment Financing District No. 3-7 (Kerry)
- Tax Increment Financing District No. 3-8 (Daikin)
- Tax Increment Financing District No. 3-9 (Cybex)
- Tax Increment Financing District No. 3-10 (Pro-Pet)
- Tax Increment Financing District No. 3-11 (Cemstone)
- Tax Increment Financing District No. 3-12 (Costco)
- Tax Increment Financing District No. 3-13 (Daiken #2)
- Tax Increment Financing District No. 3-14 (Bosch)
- Tax Increment Financing District No. 3-15 (CDI)
- Tax Increment Financing District No. 3-16 (Kamp)
- Tax Increment Financing District No. 3-17 (FoamCraft)

SECTION 2.04 DEVELOPMENT ACTIVITIES

The City will perform or cause to be performed, to the extent permitted by law, all project activities pursuant to the Development District Act, the TIF Act, and other applicable state laws, and in doing so anticipates that the following may, but are not required, to be undertaken by the City:

1. The making of studies, planning, and other formal and informal activities relating to the Development Program.
2. The implementation and administration of the Development Program.
3. The rezoning of land within the Development District.
4. The acquisition of property, or interests in property, by purchase or condemnation, which acquisition is consistent with the objectives of the Development Program.
5. The preparation of property for use and development in accordance with applicable Land Use Regulations and the Development Agreement, including demolition of structures, clearance of sites, placement of fill and grading.
6. The resale of property to private parties.
7. The construction or reconstruction of site improvements to property within a tax increment financing district.
8. The construction, improvement and maintenance of parking facilities.
9. The construction, improvement and maintenance of streets, sidewalks, alleys, and public utilities.
10. The issuance of Tax Increment Bonds to finance the Public Development Costs of the Development Program, and the use of tax increment revenue available to the City to pay or finance the Public Development Costs of a tax increment financing district, as provided in a tax increment financing plan, incurred or to be incurred by it pursuant to the Development

Program.

11. The use of tax increment revenue to pay debt service on the Tax Increment Bonds or otherwise pay or reimburse with interest the Public Development Costs of a tax increment financing district, as provided in a tax increment financing plan.

SECTION 2.05 PAYMENT OF PUBLIC DEVELOPMENT COSTS

Public Development Costs and the plan for their payment are described in each tax increment financing plan for each tax increment financing district established within the boundaries of the Development District. Public Development Costs of the Development Program will be paid primarily from tax increment revenues from tax increment financing districts within the Development District. The City may utilize other available sources of revenue which the City may apply to pay a portion of the Public Development Costs.

SECTION 2.06 ENVIRONMENTAL CONTROLS; LAND USE REGULATIONS

All municipal actions, public improvements and private development shall be carried out in a manner consistent with existing environmental controls and all applicable land use regulations.

SECTION 2.07 PARK AND OPEN SPACE TO BE CREATED

Park and open space within the Development District, if created, will be created in accordance with the City's Comprehensive Plan and zoning and subdivision ordinances.

SECTION 2.08 PROPOSED REUSE OF PROPERTY

The Development Program provides that the City may acquire property and reconvey the same to another entity. All parcels in the Development District are eligible for acquisition. In acquiring land, the City will require the execution of a binding development agreement with respect thereto and evidence that tax increment revenues or other funds will be available to repay the costs associated with the proposed acquisition of property. It is the intent of the City to negotiate the acquisition of property whenever possible. Appropriate restrictions regarding the reuse and redevelopment of property shall be incorporated into any development agreement to which the City is a party.

SECTION 2.09 ADMINISTRATION AND MAINTENANCE OF DEVELOPMENT DISTRICT

Maintenance and operation of the Development District will be the responsibility of the City Administrator who shall serve as administrator of the Development District. Each year the Administrator will submit to the City Council the maintenance and operation budget for the following year. The Administrator will administer the Development District pursuant to the provisions of Section 469.131 of the Development District Act; provided, however, that such powers may only be exercised at the direction of the City Council. No action taken by the Administrator pursuant to the above-mentioned powers shall be effective without authorization by the City Council.

SECTION 2.10 AMENDMENTS

The City may alter and amend the Development Program or enlarge or reduce the size of the Development District all pursuant to the Development District Act.

ARTICLE III - TAX INCREMENT FINANCING DISTRICT AND PLAN

SECTION 3.01 STATUTORY AUTHORITY

Tax Increment Financing (Economic Development) District No. 3-17 and the TIF Plan therefor are established and adopted under the authority of the TIF Act.

SECTION 3.02 PLANNED DEVELOPMENT

3.02.1 Statement of Objectives

The objectives which the City seeks to achieve through the implementation of the TIF District are set out in the Development Program.

3.02.2 Development Description

The Project within the TIF District includes the construction of an approximately 15,625 square feet expansion to an existing approximately 30,625 square feet manufacturing facility in the City.

3.02.3 City Plans and Development Program

In addition to achieving the objectives of the Development Program, the Development is consistent with and works to achieve the development objectives of the City. The TIF Plan for the TIF District conforms to the general plan for development of the City as a whole.

3.02.4 Property Acquisition

The City does not plan to acquire property within the TIF District.

3.02.5 Development Activities

As of the date of approval of the TIF Plan, there are no development activities proposed in the TIF Plan that are subject to contracts.

3.02.6 Need for Tax Increment Financing

The Development would not occur solely through private investment within the reasonably foreseeable future and, therefore, the use of tax increment financing is deemed necessary. The Developer has represented to the City that it could not proceed with the proposed construction of the Development in the TIF District without tax increment assistance to offset the high cost of the site improvements for the Development. The Developer has further represented that the expansion planned in the Development is necessary for the Developer to retain its current operations in the State, as well as to expand its business and increase jobs and the tax base in the State.

The TIF Plan conforms with the general development plan of the City and will generally complement and serve to implement policies adopted in the City's comprehensive plan. The Development is in accordance with the existing zoning for the property and the City's Planning Commission has determined that the Development is consistent with the comprehensive plan.

The TIF Plan will afford maximum opportunity consistent with the sound needs of the City as a whole for the development of the TIF District by private enterprise. The proposed Development will be used by the Developer, a private enterprise, for warehousing and distributing products and will afford maximum opportunity for the development of the applicable parcels consistent with the needs of the City. The Development will maximize the potential of an underutilized site and will increase the taxable market valuation of the City and the available warehouse and distribution facilities in the City.

A comparative analysis of estimated market values both with and without establishment of the TIF District and the use of tax increments has been performed as described above and is

shown in Exhibit I. This analysis indicates that the increase in estimated market value of the proposed development (less the present value of the projected tax increments for the maximum duration permitted by the TIF Plan) exceeds the estimated market value of the site prior to the establishment of the TIF District.

SECTION 3.03 TAX INCREMENT FINANCING DISTRICT

3.03.1 Designation

The TIF District is designated as Tax Increment Financing (Economic Development) District No. 3-17 (FoamCraft).

3.03.2 Boundaries of TIF District

The boundaries of the TIF District are shown in the maps included in Exhibit V.

The TIF District boundaries includes the area of parcel identified (PID) as 17-479-0105, an approximate 4.17 acre site (the "Property"), and all adjacent rights-of-way and abutting roadways to the Property. The description of the Property is as follows:

- BLK 1 ALL THAT PART OF LOT 1 LYING E OF FOLLOWING DESC LINE: COM NE COR LOT 1 TH W450.60' TO TPOB TH S497.00' TO S LN LOT 1 AND THERE TERMINATING OWATONNA INDUSTRIAL PARK NO.3

3.03.3 Type of District

The TIF District is established as an "economic development" district pursuant to Sections 469.174 subd. 12, and 469.176, subd. 4c, of the TIF Act.

The TIF Act allow tax increments from an economic development district as a tax increment financing district that consists of any project or portions of a project which the City finds to be in the public interest because:

- (1) it will discourage commerce, industry, or manufacturing from moving their operations to another state or municipality;
- (2) it will result in increased employment in the state;
- (3) it will result in preservation and enhancement of the tax base of the state; or
- (4) it satisfies the requirements of a workforce housing project under Section 469.176, subd. 4c, paragraph (d) of the TIF Act.

The City finds the Development to be in the public interest because it will discourage commerce, industry, or manufacturing from moving their operations to another state or municipality, it will result in increased employment in the state and it will result in preservation and enhancement of the tax base of the state.

Revenue derived from tax increment from an economic development district may not be used to provide improvements, loans, subsidies, grants, interest rate subsidies, or assistance in any form to developments consisting of buildings and ancillary facilities, if more than 15 percent of the buildings and facilities (determined on the basis of square footage) are used for a purpose other than:

- (1) the manufacturing or production of tangible personal property, including processing resulting in the change in condition of the property;
- (2) warehousing, storage, and distribution of tangible personal property, excluding retail sales;
- (3) research and development related to the activities listed in clause (1) or (2);
- (4) telemarketing if that activity is the exclusive use of the property;
- (5) tourism facilities;

(6) space necessary for and related to the activities listed in clauses (1) to (5) or

(7) a workforce housing project that satisfies the requirements of Section 496.176, subd. 4c, paragraph (d) of the TIF Act.

The Development will be used for the purpose of manufacturing and 100% of the planned building will be used for this purpose. The Development is a qualified facility and meets the requirements in the TIF Act.

SECTION 3.04 PLAN FOR USE OF TAX INCREMENT

3.04.1 *Estimated Tax Increment*

The original tax capacity of value of the TIF District will be set by the County Auditor upon request for certification. The original tax capacity value may change over time based on the use and tax classification of each parcel.

For the purposes of the TIF Plan, the estimated original tax capacity is \$27,900 based on the total current estimated market value of \$1,432,500 of the Property as described in Section 3.03.2.

The estimated total tax capacity value of the property after completion of the Development is \$35,900. This amount is based on a total estimated taxable market value of \$2,213,750 classified as commercial property. The taxable market value is an estimates for purpose of estimating tax increment for the TIF Plan. The actual market value, as will be assessed by the County Assessor, may vary from this estimate.

The difference between the total tax capacity value and the original tax capacity value is the captured tax capacity value for the creation of tax increment. It is the City's intent to retain 100% of the captured tax capacity value for the life of the TIF district.

The original tax rate for the TIF District, as certified by the auditor of the County, will be the sum of all the local tax rates excluding that portion of the school rate attributable to the general education levy (under Minnesota Statutes Section 126C.13) that apply to property in the district.

Tax increment estimates included in the TIF Plan are based on an estimated combined local tax rate of 137.24% (Pay 2023 tax rate). The original tax rate for the District will be based on the current tax rate based on the actual certification date for the TIF District and will vary from the estimated tax rate.

Pursuant to Section 469.177, subd. 2 of the TIF Act, it is found and declared that all of the captured tax capacity generated within the TIF District is necessary to finance or otherwise make permissible expenditures authorized by Section 469.176, subd. 4 of the TIF Act.

Under these assumptions, the estimated annual tax increment upon completion of the Development is \$20,341 (after deducting the State Auditor's Office fee of 0.36% of the tax increment distribution) in the first year of tax increment collection. The actual tax increment will vary according to the certified original tax capacity value and original tax rate, the actual property value produced by the proposed development and the changes in property value and state laws that govern calculation of property taxes over the life of the district. Exhibit II contains the projected tax increment over the life of the TIF District.

3.04.2 *Public Development Costs*

The City plans to use tax increment to pay the Public Development Costs. The Public Development Costs eligible for reimbursement from tax increment pursuant to the TIF Act may include land acquisition, site improvements and preparation costs, utilities, other qualified costs, and costs related to the establishment of the TIF District and other administration costs.

3.04.3 *Estimated Sources and Uses of Funds*

The estimated sources of revenue, along with the Public Development Costs of the TIF District,

are itemized in Figure 3-1. These estimates are based on the best available information for the sources and uses of funds. Such costs are eligible for reimbursement from tax increment from the TIF District. The City reserves the right to administratively adjust the amount of any of the Project Cost line items listed in Figure 3-1, so long as the "Total Estimated Project Costs" is not increased, not including interest expense.

Figure 3.1
City of Owatonna
Tax Increment Financing District No.
TIF Plan Estimated Sources and Uses of Funds
FoamCraft Packaging

	Total
Estimated Tax Increment Revenues (from tax increment generated by the district)	
Tax increment revenues distributed from the county	\$205,382
Interest and investment earnings	\$0
Total Estimated Tax Increment Revenues	\$205,382
Estimated Project/Financing Costs (to be paid or financed with tax increment)	
Project costs	
Land/building acquisition	\$0
Site improvements/preparation costs	\$138,459
Utilities	\$0
Other qualifying improvements	\$0
Administrative costs	\$20,538
Estimated Tax Increment Project Costs	\$158,997
Estimated financing costs	
Interest expense	\$46,385
Total Estimated Project/Financing Costs to be Paid from Tax Increment	\$205,382
Estimated Financing	
Total amount of bonds to be issued	\$158,997

3.04.4 Administrative Expense

Tax increment shall be used to pay documented administrative expenses of the City for administration of the TIF District. The tax increment used to pay administrative expenses will not exceed 10% of the total estimated tax increment expenditures included in Figure 3-1. Increments used to pay the county's administrative expenses are not subject to the 10% limit. The City will use these monies to pay for and reimburse the City for costs of administering the TIF District, pursuant to the limitation in the TIF Act. Section 469.174, subd. 14 of the TIF Act defines administrative expenses or administrative costs.

3.04.5 County Road Costs

The Development will not substantially increase the use of county roads and necessitate the need to use tax increments to pay for county road improvements.

3.04.6 Bonded Indebtedness

Tax Increment Bonds issued in connection with "any project for which tax increment financing has been undertaken" must be one of the types of bonds expressly authorized by Section 469.178 of the TIF Act. The types of bonds include general obligation bonds supported by tax increment, revenue bonds (including "pay-as-you-go" obligations); and interfund loans or advances.

The total amount of bonds estimated to be issued to pay Public Development Costs is shown in Figure 3.1. The City will not issue general obligation bonds as a result of the TIF Plan. The City plans to use tax increments to reimburse itself for administrative expense and to reimburse the Developer on a pay-go basis through issuance of a Tax Increment Financing Revenue Note,

payable solely from tax increment from the TIF District, for certain Public Development Costs, with interest.

The City may approve an interfund loan to reimburse itself for administrative expense it will incur for the TIF District. The City may advance or loan money to finance expenditures, under Section 469.176, subd. 4 of the TIF Act, from the general funds of the City or any other legally authorized fund to finance qualified expenditures, subject to the provisions defined in this section of the TIF Act.

3.04.7 Duration of TIF District

The duration to collect and spend tax increments on eligible purposes is set at the maximum duration of eight (8) years after the date of receipt of the first tax increment or nine (9) years of tax increment collection. The estimated first year of tax increment collect is 2025. The estimated decertification date is 12/31/2033.

3.04.8 Estimated Impact on Other Taxing Jurisdictions

Exhibits III and IV show the estimated impact on other taxing jurisdictions if the maximum projected retained captured net tax capacity of the TIF District was hypothetically available to the other taxing jurisdictions. The City finds that there will be no adverse impact on other taxing jurisdictions during the life of the TIF District, since the proposed development would not have occurred without the establishment of the TIF District and the provision of public assistance. A positive impact on other taxing jurisdictions will occur when the TIF District is decertified and the development therein becomes part of the general tax base.

The City anticipates minimal impact of the proposed development on city-provided services. A slight increase in water and sewer usage is expected. It is anticipated that there may be a slight but manageable increase in police and fire protection duties due to the development.

3.04.9 Prior Planned Improvements

There have been no building permits issued in the last 18 months in conjunction with any of the properties within the TIF District. The City will include this statement with the request for certification to the County Auditor. If building permits had been issued during this time period, then the County Auditor would increase the original net tax capacity of the TIF District by the net tax capacity of each improvement for which a building permit was issued.

ARTICLE IV – ADMINISTERING THE TIF DISTRICT

SECTION 4.01 FILING AND CERTIFICATION

The filing and certification of the TIF Plan consists of the following steps:

1. Upon adoption of the TIF Plan, the City shall submit a copy of the TIF Plan to the Minnesota Department of Revenue and the Office of the State Auditor.
2. The City will request that the County Auditor certify the original net tax capacity and net tax capacity rate of the TIF District. To assist the County Auditor in this process, the City shall submit copies of the TIF Plan, the resolution establishing the TIF District and adopting the TIF Plan, and a listing of any prior planned improvements.

SECTION 4.02 MODIFICATIONS OF THE TAX INCREMENT FINANCING PLAN

The City reserves the right to modify the TIF District and the TIF Plan. Pursuant to the TIF Act, the following actions can only be approved after satisfying all the necessary requirements for approval of the original TIF Plan (including notifications and public hearing):

- Reduction or enlargement in the geographic area of the Development District or the TIF District.
- Increase in the amount of bonded indebtedness to be incurred.
- Increase in the amount of capitalized interest.
- Increase in that portion of the captured net tax capacity to be retained by the City.
- Increase in the total estimated Project Costs.
- Designation of additional property to be acquired by the City.

Other modifications can be made by resolution of the City Council. In addition, the original approval process does not apply if (1) the only modification is elimination of parcels from the TIF District and (2) the current net tax capacity of the parcels eliminated equals or exceeds the net tax capacity of those parcels in the TIF District's original net tax capacity, or the City agrees that the TIF District's original net tax capacity will be reduced by no more than the current net tax capacity of the parcels eliminated.

The City must notify the auditor of the County of any modification that reduces or enlarges the geographic area of the TIF District. The geographic area of the TIF District may be reduced but not enlarged after five years following the date of certification.

SECTION 4.03 FOUR-YEAR KNOCKDOWN RULE

Pursuant to Section 469.176, subd. 6 of the TIF Act, the Four-Year Knockdown Rule requires that if after four years from certification of the TIF District no demolition, rehabilitation, renovation or site improvement, including a qualified improvement of an adjacent street, has commenced on a parcel located within the TIF District, then that parcel shall be excluded from the TIF District and the original net tax capacity shall be adjusted accordingly. Qualified improvements of a street are limited to construction or opening of a new street, relocation of a street, or substantial reconstruction or rebuilding of an existing street. The City must submit to the auditor of the County, by February 1 of the fifth year, evidence that the required activity has taken place for each parcel in the TIF District.

If a parcel is excluded from the TIF District and the City or owner of the parcel subsequently commences any of the above activities, the City shall certify to the auditor of the County that such activity has commenced and the parcel shall once again be included in the TIF District. The auditor of the County shall certify the net tax capacity of the parcel, as most recently certified by the Commissioner of Revenue of the State, and add such amount to the original net tax capacity of the TIF District.

SECTION 4.04 FIVE YEAR RULE AND SIX YEAR RULE

Pursuant to Section 469.1763, subd. 2 of the TIF Act at least 80% of the total revenue derived from tax increments paid by properties in the TIF District must be expended on activities in the in the TIF District or to pay bonds, to the extent that the proceeds of the bonds were used to finance activities in the district or to pay, or secure payment of, debt service on credit enhanced bonds.

Not more than 20% of the total revenue derived from tax increments paid by properties in the TIF District may be expended, through a development fund or otherwise, on activities outside of the TIF District but within the defined geographic area of the project except to pay, or secure payment of, debt service on credit enhanced bonds. All administrative expenses for the TIF District will be considered to be expenditures for activities outside of the TIF District pursuant to requirements within the TIF Act.

Five Year Rule

Revenues derived from tax increments paid by properties in the TIF District that are expended

on an activity within the district will instead be considered to have been expended on an activity outside the district for purposes of Section 469.1763, subd. 2 of the TIF Act unless:

- (1) before or within five years after certification of the district, the revenues are actually paid to a third party with respect to the activity;
 - (2) bonds, the proceeds of which must be used to finance the activity, are issued and sold to a third party before or within five years after certification of the district, the revenues are spent to repay the bonds, and the proceeds of the bonds either are, on the date of issuance, reasonably expected to be spent before the end of the later of (i) the five-year period, or (ii) a reasonable temporary period within the meaning of the use of that term under section 148(c)(1) of the Internal Revenue Code, or are deposited in a reasonably required reserve or replacement fund;
 - (3) binding contracts with a third party are entered into for performance of the activity before or within five years after certification of the district and the revenues are spent under the contractual obligation;
 - (4) costs with respect to the activity are paid before or within five years after certification of the district and the revenues are spent to reimburse a party for payment of the costs, including interest on unreimbursed costs; or
 - (5) revenues are spent for housing purposes as described by Section 469.1763, subd. 2 of the TIF Act, paragraph (b).
- (b) For purposes of this subdivision, bonds include subsequent refunding bonds if the original refunded bonds meet the requirements of paragraph (a), clause (2).

It is anticipated that all tax increments collected in the TIF District will be spent or obligated before within five years after certification of the TIF District.

Six Year Rule

Pursuant to Section 469.1763, subd. 4 of the TIF Act, beginning with the sixth year following certification of the TIF District, the use of tax increment derived from property within the TIF District is further limited. The general concept of the Six Year Rule provides that the TIF District must be decertified when the product of the applicable in-district percentage multiplied by cumulative revenues derived from tax increments paid by properties in the district that have been collected through the end of the calendar year, equals or exceeds an amount sufficient to pay costs and obligations. The City will administer the TIF District in compliance with the Six Year Rule.

SECTION 4.05 FINANCIAL REPORTING AND DISCLOSURE REQUIREMENTS

The City will comply with the annual reporting requirements of state law pursuant to the guidelines of the Office of the State Auditor. Under current law, the City must prepare and submit a report on the TIF District on or before August 1 of each year. The City must also annually publish in a newspaper of general circulation in the City an annual statement for each tax increment financing district.

The reporting and disclosure requirements outlined in this section begin with the year the district was certified, and shall end in the year in which both the district has been decertified and all tax increments have been spent or returned to the county for redistribution. Failure to meet these requirements, as determined by the State Auditors Office, may result in suspension of distribution of tax increment.

SECTION 4.06 BUSINESS SUBSIDY COMPLIANCE

The City will comply with the business subsidies requirements specified in Minnesota Statutes, Sections 116J.993 to 116J.995.

Exhibit I
City of Owatonna
Tax Increment Financing District No.
Present Value Analysis As Required By Section
469.175(3)(2) of the TIF Act

1 Estimated Future Market Value w/ Tax Increment Financing	2,397,174 ¹
2 Payable Pay 2023 Market Value	<u>1,432,500</u>
3 Market Value Increase (1-2)	964,674
4 Present Value of Future Tax Increments	<u>153,843</u>
5 Market Value Increase Less PV of Tax Increments	810,831
6 Estimated Future Market Value w/o Tax Increment Financing	1,551,192 ¹
7 Payable Pay 2023 Market Value	<u>1,432,500</u>
8 Market Value Increase (6-7)	<u>118,692</u>
9 Increase in MV From TIF	<u><u>692,139</u></u> ²

¹ Assume 1.00% annual appreciation over 9 year life of district.

² Statutory compliance achieved if increase in market value from TIF (Line 9) is greater than or equal to zero.

Exhibit II
City of Owatonna
Tax Increment Financing District (Economic Development)
FoamCraft Packaging
Projected Tax Increment Financing (TIF) Cash Flow

TIF District Year	Taxes Payable Year	Taxable Market Value	Tax Capacity	Base Tax Capacity	Captured Tax Capacity for TIF	Original Tax Rate	Captured TIF	Less State Fee	TIF from District	PV Available TIF from District
1	2025	2,213,750	42,775	27,900	14,875	137.24%	20,414	(73)	20,341	18,581
2	2026	2,235,888	43,218	27,900	15,318	137.24%	21,022	(76)	20,946	36,794
3	2027	2,258,246	43,665	27,900	15,765	137.24%	21,636	(78)	21,558	54,635
4	2028	2,280,829	44,117	27,900	16,217	137.24%	22,256	(80)	22,176	72,103
5	2029	2,303,637	44,573	27,900	16,673	137.24%	22,882	(82)	22,800	89,198
6	2030	2,326,673	45,033	27,900	17,133	137.24%	23,514	(85)	23,429	105,918
7	2031	2,349,940	45,499	27,900	17,599	137.24%	24,153	(87)	24,066	122,264
8	2032	2,373,440	45,969	27,900	18,069	137.24%	24,798	(89)	24,709	138,239
9	2033	2,397,174	46,443	27,900	18,543	137.24%	25,449	(92)	25,357	153,843
TOTAL =							206,124	(742)	205,382	153,843

Key Assumptions for Cash Flow:

- 1 Taxable market value (TMV) is assumed to increase by 1.0% annually
- 2 Original Tax Capacity Rate estimated based on Taxes Payable Year Pay 2023
- 3 Election for captured tax capacity is 100.00%
- 4 Base Tax Capacity is calculated based on estimated taxable market value of \$1,432,500 for PID 17-479-0105
- 5 Present Value (PV) calculated based on semi-annual payments, interest rate 5.0%, dated date 1/1/2024
- 6 Taxable Market Value (TMV) includes estimated value of all property in district, including existing building, land, and building expansion. Taxable market value of building expansion estimated based on 15,625 SF expansion at TMV of \$781,250

Exhibit III
City of Owatonna
Tax Increment Financing District No. 3-17
Impact on Other Taxing Jurisdictions
(Taxes Payable Pay 2023)

Annual Tax Increment

Estimated Annual Captured Tax Capacity (Full Development)	\$18,543
Payable Pay 2023 Local Tax Rate	137.240%
Estimated Annual Tax Increment	\$25,449

Percent of Tax Base

	Net Tax Capacity (NTC)	Captured Tax Capacity	Percent of Total NTC
City of Owatonna	29,431,406	18,543	0.06%
Steele County County	55,479,390	18,543	0.03%
ISD #761	41,626,640	18,543	0.04%

Dollar Impact of Affected Taxing Jurisdictions

	Net Tax Capacity (NTC)	% of Total	Tax Increment Share	Added Local Tax Rate
City of Owatonna	57.305%	41.755%	10,626	0.036%
Steele County County	50.055%	36.473%	9,282	0.017%
ISD #761	29.880%	21.772%	5,541	0.013%
Other	0.000%	0.000%	0	
Totals	137.240%	100.000%	25,449	

NOTE NO. 1: Assuming that ALL of the captured tax capacity would be available to all taxing jurisdictions even if the City does not create the Tax Increment District, the creation of the District will reduce tax capacities and increase the local tax rate as illustrated in the above tables.

NOTE NO. 2: Assuming that NONE of the captured tax capacity would be available to the taxing jurisdiction if the City did not create the Tax Increment District, then the plan has virtually no initial effect on the tax capacities of the taxing jurisdictions. However, once the District is established, allowable costs paid from the increments, and the District is terminated, all taxing jurisdictions will experience an increase in their tax base.

Exhibit IV
City of Owatonna
Tax Increment Financing (Economic Development) District No.
Estimated Tax Increments Over Maximum Life of District

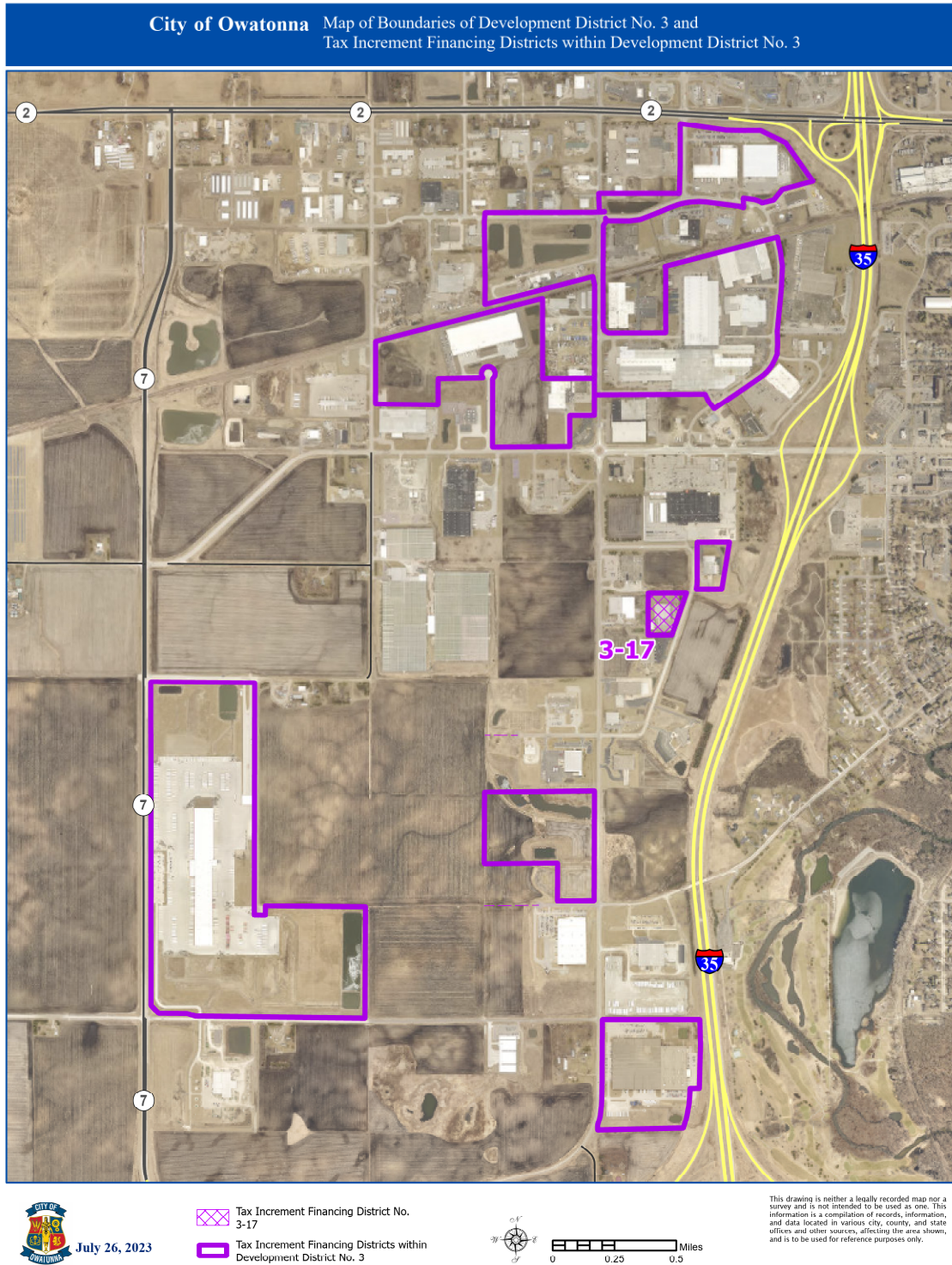
Based on Pay Pay 2023 Tax Rate = 137.240% 57.305% 50.055% 29.880% 0.000%

TIF District Year	Taxes Payable Year	New Taxable Market Value	New Tax Capacity	Base Tax Capacity	Captured Tax Capacity	Estimated Total Tax Increments	City TIF Related Share	County TIF Related Share	School TIF Related Share	Other TIF Related Share
1	2025	2,213,750	42,775	27,900	14,875	20,414	8,524	7,446	4,445	-
2	2026	2,235,888	43,218	27,900	15,318	21,022	8,778	7,667	4,577	-
3	2027	2,258,246	43,665	27,900	15,765	21,636	9,034	7,891	4,711	-
4	2028	2,280,829	44,117	27,900	16,217	22,256	9,293	8,117	4,846	-
5	2029	2,303,637	44,573	27,900	16,673	22,882	9,554	8,346	4,982	-
6	2030	2,326,673	45,033	27,900	17,133	23,514	9,818	8,576	5,119	-
7	2031	2,349,940	45,499	27,900	17,599	24,153	10,085	8,809	5,259	-
8	2032	2,373,440	45,969	27,900	18,069	24,798	10,354	9,044	5,399	-
9	2033	2,397,174	46,443	27,900	18,543	25,449	10,626	9,282	5,541	-
Total						206,124	86,066	75,178	44,879	-

Note: The Estimated Total Tax Increment shown above is before deducting the State Auditor's fee, which is payable at a rate of 0.36% of the Total Tax Increment collected. Exhibit II provides Estimated Total Tax Increment after deducting for the State Auditor's fee.

Exhibit V

Boundaries Map for Development District and TIF District





Administration Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Greg Kruschke, Community Development Manager
SUBJECT: Resolution 81-23 Establish Tax Increment Finance District 3-17 and approve the use of Tax Increment Financing

Purpose:

Request approval of Resolution 81-23 for modification to Development District #3, establish Tax Increment Finance (TIF) District 3-17, and authorize the use of TIF.

Background:

Refer to the memo from Northland Securities and the proposed TIF Plan which were previously included in reference during the public hearing.

Budget Impact:

The Developer will receive \$138,549 in increments over the 9-year period. The City will receive administrative costs of \$20,538 from the increment over the 9-year period. Both numbers are based on the assumption of a post-addition taxable market value of \$2,213,750.

Staff Recommendation:

Staff recommends approval of Resolution 81-23 to allow for the construction of the addition to FoamCraft Packaging.

Attachments:

1. Resolution 81-23 Establish TIF District #3-17 and approve use of TIF

RESOLUTION NO. 81-23

RESOLUTION APPROVING THE MODIFICATION OF MUNICIPAL DEVELOPMENT DISTRICT NO. 3; APPROVING THE ADOPTION OF A MODIFICATION OF A DEVELOPMENT PROGRAM THEREFOR; ESTABLISHING TAX INCREMENT FINANCING DISTRICT (ECONOMIC DEVELOPMENT) NO. 3-17 (FOAMCRAFT) WITHIN MUNICIPAL DEVELOPMENT DISTRICT NO. 3; APPROVING THE TAX INCREMENT FINANCING PLAN THEREFOR; AUTHORIZING AN INTERFUND LOAN; AND AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT

A. WHEREAS, it has been proposed that the City of Owatonna, Minnesota (the "City") (1) modify Municipal Development District No. 3 (the "Development District"); (2) modify the development program for the Development District (the "Development Program") (3) establish Tax Increment Financing District (Economic Development) No. 3-17 (FoamCraft) therein (the "TIF District"); (4) approve and adopt the proposed Tax Increment Financing Plan therefor under the provisions of Minnesota Statutes, Sections 469.174 to 469.1794, as amended (the "Act"); (5) authorize an Interfund Loan (hereinafter defined); and (5) authorize the execution of a development agreement; and

B. WHEREAS, the City Council has investigated the facts and has caused to be prepared a Modification to the Development Program for the Development District (the "Development Program Modification") and has caused to be prepared a proposed tax increment financing plan for the TIF District therein (the "TIF Plan"); and

C. WHEREAS, the City has performed all actions required by law to be performed prior to the approval of the modification of the Development District and the establishment of the TIF District therein, and the adoption of the Development Program Modification and TIF Plan therefor, including, but not limited to, notification of Steele County (the "County") and Owatonna Public Schools, Independent School District No. 761, having taxing jurisdiction over the property to be included in the TIF District, and the holding of a public hearing upon published and mailed notice as required by law; and

D. WHEREAS, FoamCraft Packing, Inc. (the "Developer") has requested the City to assist with the financing of certain costs incurred in connection with construction of an approximately 15,625 square foot expansion to the Developer's existing 30,625 square foot building located in the City to provide additional space for warehousing and distribution (the "Project"); and

E. WHEREAS, the Developer and the City have determined to enter into a Development Agreement providing for the City's tax increment financing assistance for the Project (the "Development Agreement"); and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Owatonna follows:

1. Modification of Development District No. 3. The boundaries of the Development District No. 3 are enlarged to include the TIF District.

2. Development Program Modification. The Modification to the Development Program for the Development District, a copy of which is on file in the office of the City Administrator, is adopted.

3. Tax Increment Financing District (Economic Development) No. 3-17 (FoamCraft). There is hereby established in the City within the Development District, Tax Increment Financing District (Economic Development) No. 3-17 (FoamCraft), an economic development tax increment financing district, the initial boundaries of which are fixed and determined as described in the TIF Plan.

4. Tax Increment Financing Plan. The TIF Plan is adopted as the tax increment financing plan for the TIF District, and the City Council makes the following findings:

(a) The TIF District is an economic development district as defined in Minnesota Statutes, Section 469.174, Subd. 12, the specific basis for such determination is set forth in Section 3.03.3 of the TIF Plan.

(b) The proposed development, in the opinion of the City Council, would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future. The reasons for such determination are set forth in Section 3.02.6 of the TIF Plan.

(c) In the opinion of the City Council, the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the TIF District permitted by the TIF Plan. The reasons supporting this finding are set forth in Section 3.02.6 of the TIF Plan.

(d) The TIF Plan for the TIF District conforms to the general plan for development or redevelopment of the City as a whole. The reasons for supporting this finding are set forth in Section 3.02.3 of the TIF Plan.

(e) The TIF Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development or redevelopment of the Development District by private enterprise. The reasons supporting this finding are set forth in Section 3.02.6 of the TIF Plan.

5. Public Purpose. The adoption of the TIF Plan for the TIF District within the Development District conforms in all respects to the requirements of the Act and will help fulfill a need to develop an area of the State which is already built up to provide employment opportunities, to improve the tax base and to improve the general economy of the State and thereby serves a public purpose.

6. Certification. The County Auditor is requested to certify the original net tax capacity of the TIF District as described in TIF Plan, and to certify in each year thereafter the amount by which the original net tax capacity has increased or decreased in accordance with the Act; and the City Administrator is authorized and directed to forthwith transmit this request to the County Auditor in such form and content as the County Auditor may specify, together with a list of all properties within the TIF District for which building permits have been issued during the 18 months immediately preceding the adoption of this Resolution.

7. Filing. The City Administrator is further authorized and directed to file a copy of the Development Program Modification and TIF Plan for the TIF District with the Commissioner of Revenue and the Office of the State Auditor.

8. Administration. The administration of the Development District is assigned to the City Administrator who shall from time to time be granted such powers and duties pursuant to Minnesota Statutes, Sections 469.130 and 469.131 as the City Council may deem appropriate.

9. Interfund Loan. The City has determined that it may pay for certain costs (the "Qualified Costs") identified in the TIF Plan which costs may be financed on a temporary basis from the City's general fund or any other fund from which such advances may be legally made (the "Fund"). Under Minnesota Statutes, Section 469.178, Subd. 7, the City is authorized to advance or loan money from the Fund in order to finance the Qualified Costs. The City intends to reimburse itself for the payment of the Qualified Costs, plus interest thereon, from tax increments derived from the TIF District in accordance with the following terms (which terms are referred to collectively as the "Interfund Loan"):

(a) The City shall repay to the Fund from which the Qualified Costs are initially paid, the principal amount of \$20,538 (or, if less, the amount actually paid from such fund) together with interest at 5.00% per annum (which is not more than the greater of (i) the rate specified under Minnesota Statutes, Section 270C.40, or (ii) the rate specified under Minnesota Statutes, Section 549.09) from the date of the payment.

(b) Principal and interest on the Interfund Loan ("Payments") shall be paid annually on each December 31 commencing with the date the tax increments from the TIF District are available and not otherwise pledged to and including the earlier of (a) the date the principal and accrued interest of the Interfund Loan is paid in full, or (b) the date of last receipt of tax increment from the TIF District ("Payment Dates") which Payments will be made in the amount and only to the extent of available tax increments. Payments shall be applied first to accrued interest, and then to unpaid principal.

(c) Payments on the Interfund Loan are payable solely from the tax increment generated in the preceding twelve (12) months with respect to the TIF District and remitted to the City by Steele County, all in accordance with Minnesota Statutes, Sections 469.174 to 469.1794, as amended. Payments on

this Interfund Loan are subordinate to any outstanding or future bonds, notes or contracts secured in whole or in part with tax increment, and are on parity with any other outstanding or future interfund loans secured in whole or in part with tax increments.

(d) The principal sum and all accrued interest payable under this Interfund Loan are pre-payable in whole or in part at any time by the City without premium or penalty. No partial prepayment shall affect the amount or timing of any other regular payment otherwise required to be made under this Interfund Loan.

(e) The Interfund Loan is evidence of an internal borrowing by the City in accordance with Minnesota Statutes, Section 469.178, Subd. 7, and is a limited obligation payable solely from tax increment pledged to the payment hereof under this resolution. The Interfund Loan and the interest hereon shall not be deemed to constitute a general obligation of the State of Minnesota or any political subdivision thereof, including, without limitation, the City. Neither the State of Minnesota, nor any political subdivision thereof shall be obligated to pay the principal of or interest on the Interfund Loan or other costs incident hereto except out of tax increment, and neither the full faith and credit nor the taxing power of the State of Minnesota or any political subdivision thereof is pledged to the payment of the principal of or interest on the Interfund Loan or other costs incident hereto. The City shall have no obligation to pay any principal amount of the Interfund Loan or accrued interest thereon, which may remain unpaid after the termination of the TIF District.

(f) The City may amend the terms of the Interfund Loan at any time by resolution of the City Council, including a determination to forgive the outstanding principal amount and accrued interest to the extent permissible under law.

10. Development Agreement.

(a) The Council hereby approves the Development Agreement in substantially the form submitted, and the Mayor and the City Administrator are hereby authorized and directed to execute the Development Agreement on behalf of the Council.

(b) The approval hereby given to the Development Agreement includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City officials authorized by this resolution to execute the Development Agreement. The execution of the Development Agreement by the appropriate officer or officers of the City shall be conclusive evidence of the approval of the Development Agreement in accordance with the terms hereof.

Passed and adopted this ____ day of _____, 2023, with the following vote:

Aye: ____; No: ____; Absent: ____.

Approved and signed this _____ day of _____, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk



Community Development Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Greg Kruschke, Community Development Manager
SUBJECT: Resolution 82-23: Approve Development Agreement - FoamCraft Packaging, Inc.

Purpose:

Approve Resolution 82-23 to adopt the Development Agreement with FoamCraft Packaging Inc. regarding TIF District 3-17.

Background:

The attached Development Agreement with FoamCraft Packaging Inc. is in regard to TIF District 3-17. This agreement was drafted by Taft, Stettinius, & Hollister LLP, the City's new TIF Attorney. This agreement has been agreed upon by the developer and lays out the roles and responsibilities of both the developer and the City.

Budget Impact:

Per the Development Agreement, the Developer will be reimbursed \$138,459 with a 5% non-compounded interest over the 9-year period. The City will be reimbursed \$20,341 for the administrative services for this TIF with the same 5% non-compounded interest.

Staff Recommendation:

Staff recommends approval.

Attachments:

1. Res 82-23 Development Agreement - FoamCraft Packaging, Inc.
2. Development Agreement - FoamCraft Packaging, Inc. - TIF 3-17

RESOLUTION NO. 82-23
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OWATONNA
APPROVING A DEVELOPMENT AGREEMENT
WITH FOAMCRAFT PACKAGING, INC.

BE IT RESOLVED by the City Council of the City of Owatonna, Minnesota (herein called the "City") as follows:

That the City hereby approved a Development Agreement with FoamCraft Packaging, Inc. in regard to Tax Increment Financing District 3-17 during the City Council Meeting on September 19, 2023. This Development Agreement authorized the Mayor and City Administrator to execute the Development Agreement on behalf of the City.

Passed and adopted this ____ day of _____, 2023, with the following vote:

Aye __; No __; Absent __.

Approved and signed this ____ day of _____, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk

DEVELOPMENT AGREEMENT

BY AND BETWEEN

THE CITY OF OWATONNA, MINNESOTA

AND

FOAMCRAFT PACKAGING, INC.

This document drafted by:

TAFT STETTINIUS & HOLLISTER LLP
2200 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402

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DEVELOPMENT AGREEMENT

THIS AGREEMENT, made as of the 19th day of September, 2023, by and between the City of Owatonna, Minnesota (the "City"), a municipal corporation existing under the laws of the State of Minnesota and FoamCraft Packaging, Inc., a Minnesota limited liability company (the "Developer").

WITNESSETH:

WHEREAS, pursuant to Minnesota Statutes, Section 469.124 through 469.133, the City has heretofore established Development District No. 3 (the "Development District") and has adopted a development program therefor (the "Development Program"); and

WHEREAS, pursuant to the provisions of Minnesota Statutes, Section 469.174 through 469.1794, as amended (hereinafter, the "Tax Increment Act"), the City has heretofore established, within the Development District, Tax Increment Financing District (Economic Development) No. 3-17 (FoamCraft) (the "Tax Increment District") and has adopted a tax increment financing plan therefor (the "Tax Increment Plan") which provides for the use of tax increment financing in connection with certain development within the Development District; and

WHEREAS, in order to achieve the objectives of the Development Program and particularly to make the land in the Development District available for development by private enterprise in conformance with the Development Program, the City has determined to assist the Developer with the financing of certain costs of a Project (as hereinafter defined) to be constructed within the Tax Increment District as more particularly set forth in this Agreement; and

WHEREAS, the City believes that the development and construction of the Project, and fulfillment of this Agreement are vital and are in the best interests of the City, the health, safety, morals and welfare of residents of the City, and in accordance with the public purpose and provisions of the applicable state and local laws and requirements under which the Project has been undertaken and is being assisted; and

WHEREAS, other than certain reporting requirements, the requirements of the Business Subsidy Law, Minnesota Statutes, Section 116J.993 through 116J.995, do not apply to this Agreement because the assistance given to the Developer under this Agreement is a business subsidy of less than \$150,000;

NOW, THEREFORE, in consideration of the premises and the mutual obligations of the parties hereto, each of them does hereby covenant and agree with the other as follows:

ARTICLE I

DEFINITIONS

Section 1.1. Definitions. All capitalized terms used and not otherwise defined herein shall have the following meanings unless a different meaning clearly appears from the context:

Agreement means this Agreement, as the same may be from time to time modified, amended or supplemented;

Business Day means any day except a Saturday, Sunday or a legal holiday or a day on which banking institutions in the City are authorized by law or executive order to close;

City means the City of Owatonna, Minnesota;

County means Steele County, Minnesota;

Developer means FoamCraft Packaging, Inc., a Minnesota corporation, its successors and assigns;

Development District means Development District No. 3, including the real property described in the Development Program;

Development Program means the development program approved in connection with the Development District;

Development Property means the real property described in Exhibit A attached to this Agreement;

Event of Default means any of the events described in Section 4.1 hereof;

Legal and Administrative Expenses means the fees and expenses incurred by the City in connection with the adoption of the Tax Increment Financing Plan, the preparation of this Agreement and the issuance of the TIF Note;

Note Payment Date means August 1, 2025, and each February 1 and August 1 of each year thereafter to and including February 1, 2034; provided, that if any such Note Payment Date should not be a Business Day, the Note Payment Date shall be the next succeeding Business Day;

Prime Rate means the rate of interest from time to time publicly announced by U.S. Bank National Association in Minneapolis, Minnesota, as its "reference rate" or any successor rate, which rate shall change as and when that prime rate or successor rate changes;

Project means the construction of an approximately 15,625 square foot expansion to the Developer's existing 30,625 square foot building by the Developer on the Development Property located in the City to provide additional space for warehousing and distribution;

Site Improvements means the site improvements undertaken or to be undertaken on the Development Property, more particularly described on Exhibit C attached hereto;

State means the State of Minnesota;

Tax Increments means 90% of the tax increments derived from the Development Property which have been received and retained by the City in accordance with the provisions of Minnesota Statutes, Section 469.177;

Tax Increment Act means Minnesota Statutes, Sections 469.174 through 469.1794, as amended;

Tax Increment District means Tax Increment Financing (Economic Development) District No. 3-17 (FoamCraft) located within the Development District, a description of which is set forth in the Tax Increment Financing Plan, which was qualified as an economic development district under the Tax Increment Act;

Tax Increment Financing Plan means the tax increment financing plan approved for the Tax Increment District by the City Council on September 19, 2023, and any future amendments thereto;

Termination Date means the earlier of (i) February 1, 2034, (ii) the date the TIF Note is paid in full as provided in the TIF Note, (iii) the date on which the Tax Increment District expires or is otherwise terminated, or (iv) the date this Agreement is terminated or rescinded in accordance with its terms;

TIF Note means the Tax Increment Revenue Note (FoamCraft Project) to be executed by the City and delivered to the Developer pursuant to Article III hereof, a form of which is attached hereto as Exhibit B; and

Unavoidable Delays means delays, outside the control of the party claiming its occurrence, which are the direct result of strikes, other labor troubles, unusually severe or prolonged bad weather, acts of God, fire or other casualty to the Project, litigation commenced by third parties which, by injunction or other similar judicial action or by the exercise of reasonable discretion, directly results in delays, or acts of any federal, state or local governmental unit (other than the City) which directly result in delays.

ARTICLE II

REPRESENTATIONS AND WARRANTIES

Section 2.1. Representations and Warranties of the City. The City makes the following representations and warranties:

(1) The City is a municipal corporation and has the power to enter into this Agreement and carry out its obligations hereunder.

(2) The Tax Increment District is an "economic development district" within the meaning of Minnesota Statutes, Section 469.174, Subdivision 12, and was created, adopted and approved in accordance with the terms of the Tax Increment Act.

(3) The development contemplated by this Agreement is in conformance with the development objectives set forth in the Development Program.

(4) To finance certain costs within the Tax Increment District, the City proposes, subject to the further provisions of this Agreement, to apply Tax Increments to reimburse the Developer for a portion of the costs of the construction of certain Site Improvements incurred in connection with the Project as further provided in this Agreement.

(5) The City makes no representation or warranty, either expressed or implied, as to the Development Property or its condition or the soil conditions thereon, or that the Development Property shall be suitable for the Developer's purposes or needs.

Section 2.2. Representations and Warranties of the Developer. The Developer makes the following representations and warranties:

(1) The Developer is a Minnesota corporation and has the power and authority to enter into this Agreement and to perform its obligations hereunder and doing so will not violate its articles of organization, member control agreement or operating agreement, if any, or the laws of the State and by proper action has authorized the execution and delivery of this Agreement.

(2) The Developer shall cause the Project to be constructed in accordance with the terms of this Agreement, the Development Program and all applicable local, state and federal laws and regulations (including, but not limited to, environmental, zoning, energy conservation, building code and public health laws and regulations).

(3) The construction of the Project would not be undertaken by the Developer, and in the opinion of the Developer would not have been or be economically feasible within the reasonably foreseeable future, without the assistance and benefit to the Developer provided for in this Agreement.

(4) Neither the execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, nor the fulfillment of or compliance with the terms and conditions of this Agreement is prevented, limited by or conflicts with or results in a breach of, the terms, conditions or provision of any contractual restriction, evidence of indebtedness,

agreement or instrument of whatever nature to which the Developer is now a party or by which it is bound, or constitutes a default under any of the foregoing.

(5) The Developer will cooperate fully with the City with respect to any litigation commenced with respect to the Project.

(6) The Developer will cooperate fully with the City in resolution of any traffic, parking, trash removal or public safety problems which may arise in connection with the construction and operation of the Project.

(7) The Developer shall commence construction of the Project by December 31, 2023, and the construction of the Project will be substantially completed by August 1, 2024 subject to Unavoidable Delays.

(8) The Developer will obtain, or cause to be obtained, in a timely manner, all required permits, licenses and approvals, and will meet, in a timely manner, all requirements of all applicable local, state, and federal laws and regulations which must be obtained or met before the Project may be lawfully constructed.

(9) The Developer acknowledges that Tax Increment projections contained in the Tax Increment Financing Plan are estimates only and the Developer acknowledges that it shall place no reliance on the amount of projected Tax Increments and the sufficiency of such Tax Increments to reimburse the Developer for a portion of the costs of the construction of the Site Improvements as provided in Article III.

ARTICLE III

UNDERTAKINGS BY DEVELOPER AND CITY

Section 3.1. Site Improvements and Legal and Administrative Expenses.

(1) The parties agree that the installation of the Site Improvements to be constructed by the Developer is essential to the successful completion of the Project. The costs of the Site Improvements shall be paid by the Developer. The City shall reimburse the Developer for the lesser of (a) \$138,459, or (b) the actual costs of the Site Improvements actually incurred and paid by the Developer (the "Reimbursement Amount") as further provided in Section 3.3.

(2) The City shall pay the Legal and Administrative Expenses incurred by the City.

Section 3.2. Limitations on Undertaking of the City. Notwithstanding the provisions of Section 3.1, the City shall have no obligation to the Developer under this Agreement to reimburse the Developer for the Reimbursement Amount, if the City, at the time or times such payment is to be made, is entitled under Section 4.2 to exercise any of the remedies set forth therein as a result of an Event of Default which has not been cured.

Section 3.3. Reimbursement: TIF Note. The City shall reimburse the costs identified in Section 3.1(1) through the issuance of the City's TIF Note in substantially the form attached to this Agreement as Exhibit B, subject to the following conditions.

(1) The TIF Note shall be dated, issued and delivered when the Developer shall have demonstrated in writing to the reasonable satisfaction of the City that the Project has been completed and that the Developer has incurred and paid all costs of construction of the Site Improvements, as described in and limited by Section 3.1 and shall have submitted paid invoices for the costs of construction of the Site Improvements in an amount not less than the Reimbursement Amount.

(2) The unpaid principal amount of the TIF Note shall bear simple non-compounding interest from the date of issuance of the TIF Note, at 5.00% per annum. Interest shall be computed on the basis of a 360 day year consisting of twelve (12) 30-day months.

(3) The principal amount of the TIF Note and the interest thereon shall be payable solely from the Tax Increments.

(4) The payment dates of the TIF Note shall be the Note Payment Dates. On each Note Payment Date and subject to the provisions of the TIF Note, the City shall pay, against the principal and interest outstanding on the TIF Note, any Tax Increments received by the City during the preceding six (6) months. All such payments shall be applied first to accrued interest and then to reduce the principal of the TIF Note.

(5) The TIF Note shall be a special and limited obligation of the City and not a general obligation of the City, and only Tax Increments shall be used to pay the principal and

interest on the TIF Note. If, on any Note Payment Date, the Tax Increments for the payment of the accrued and unpaid interest on the TIF Note are insufficient for such purposes, the difference shall be carried forward, without interest accruing thereon, and shall be paid if and to the extent that on a future Note Payment Date there are Tax Increments in excess of the amounts needed to pay the accrued interest then due on the TIF Note.

(6) The City's obligation to make payments on the TIF Note on any Note Payment Date or any date thereafter shall be conditioned upon the requirements that: (A) there shall not at that time be an Event of Default that has occurred and is continuing under this Agreement and (B) this Agreement shall not have been rescinded pursuant to Section 4.2.

(7) The TIF Note shall be governed by and payable pursuant to the additional terms thereof, as set forth in Exhibit B. In the event of any conflict between the terms of the TIF Note and the terms of this Section 3.3, the terms of the TIF Note shall govern. The issuance of the TIF Note pursuant and subject to the terms of this Agreement, and the taking by the City of such additional actions as bond counsel for the TIF Note may require in connection therewith, are hereby authorized and approved by the City.

Section 3.4. Real Property Taxes. Prior to the Termination Date, the Developer shall pay all real property taxes payable with respect to all and any parts of the Development Property acquired and owned by it until the Developer's obligations have been assumed by any other person pursuant to the provisions of this Agreement.

The Developer agrees that, so long as it owns all or any portion of the Development Property, prior to the Termination Date:

(1) It will not seek administrative review or judicial review of the applicability of any tax statute relating to the ad valorem property taxation of real property contained on the Development Property determined by any tax official to be applicable to the Project or the Developer or raise the inapplicability of any such tax statute as a defense in any proceedings with respect to the Development Property, including delinquent tax proceedings; provided, however, "tax statute" does not include any local ordinance or resolution levying a tax;

(2) It will not seek administrative review or judicial review of the constitutionality of any tax statute relating to the taxation of real property contained on the Development Property determined by any tax official to be applicable to the Project or the Developer or raise the unconstitutionality of any such tax statute as a defense in any proceedings, including delinquent tax proceedings with respect to the Development Property; provided, however, "tax statute" does not include any local ordinance or resolution levying a tax;

(3) It will not seek any tax deferral or abatement, either presently or prospectively authorized under Minnesota Statutes, Section 469.1813, or any other State or federal law, of the ad valorem property taxation of the Development Property between the date of execution of this Agreement and the Termination Date; and

(4) It will not seek a reduction in the market value as determined by the Steele County Assessor of the Project or other facilities, if any, that it constructs on the Development

Property, pursuant to the provisions of this Agreement, for so long as the TIF Note remains outstanding.

Section 3.5. Prohibition Against Transfer of Project and Assignment of Agreement. The Developer represents and agrees that prior to the Termination Date, the Developer shall not transfer the Project or any part thereof or any interest therein, without the prior written approval of the City. The City shall be entitled to require as conditions to any such approval that:

(1) Any proposed transferee shall have the qualifications and financial responsibility, in the reasonable judgment of the City, necessary and adequate to fulfill the obligations undertaken in this Agreement by the Developer.

(2) Any proposed transferee, by instrument in writing satisfactory to the City shall, for itself and its successors and assigns, and expressly for the benefit of the City, have expressly assumed all of the obligations of the Developer under this Agreement and agreed to be subject to all the conditions and restrictions to which the Developer is subject.

(3) There shall be submitted to the City for review and prior written approval all instruments and other legal documents involved in effecting the transfer of any interest in this Agreement or the Project.

ARTICLE IV

EVENTS OF DEFAULT

Section 4.1. Events of Default Defined. The following shall be "Events of Default" under this Agreement and the term "Event of Default" shall mean whenever it is used in this Agreement any one or more of the following events:

(1) Failure by the Developer to timely pay any ad valorem real property taxes and special assessments levied against the Development Property and all public utility or other City payments due and owing with respect to the Development Property when due and payable.

(2) Failure by the Developer to cause the Project to be completed pursuant to the terms, conditions and limitations of this Agreement.

(3) Failure of the Developer to observe or perform any other covenant, condition, obligation or agreement on its part to be observed or performed under this Agreement.

(4) The holder of any mortgage on the Development Property or any improvements thereon, or any portion thereof, commences foreclosure proceedings as a result of any default under the applicable mortgage documents.

(5) If the Developer shall:

(a) file any petition in bankruptcy or for any reorganization, arrangement, composition, readjustment, liquidation, dissolution, or similar relief under the United States Bankruptcy Act of 1978, as amended or under any similar federal or state law; or

(b) make an assignment for the benefit of its creditors; or

(c) admit in writing its inability to pay its debts generally as they become due;
or

(d) be adjudicated as bankrupt or insolvent; or if a petition or answer proposing the adjudication of the Developer as bankrupt or its reorganization under any present or future federal bankruptcy act or any similar federal or state law shall be filed in any court and such petition or answer shall not be discharged or denied within sixty (60) days after the filing thereof; or a receiver, liquidator or trustee of the Developer, or of the Project, or part thereof, shall be appointed in any proceeding brought against the Developer, and shall not be discharged within sixty (60) days after such appointment, or if the Developer, shall consent to or acquiesce in such appointment.

Section 4.2. Remedies on Default. Whenever any Event of Default referred to in Section 4.1 occurs and is continuing, the City, as specified below, may take any one or more of the following actions after the giving of thirty (30) days' written notice to the Developer, but only if the Event of Default has not been cured within said thirty (30) days:

(1) The City may suspend its performance under this Agreement and the TIF Note until it receives assurances from the Developer, deemed adequate by the City, that the Developer will cure its default and continue its performance under this Agreement.

(2) The City may cancel and rescind the Agreement and the TIF Note.

(3) The City may take any action, including legal or administrative action, in law or equity, which may appear necessary or desirable to enforce performance and observance of any obligation, agreement, or covenant of the Developer under this Agreement.

Section 4.3. No Remedy Exclusive. No remedy herein conferred upon or reserved to the City is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient.

Section 4.4. No Implied Waiver. In the event any agreement contained in this Agreement should be breached by any party and thereafter waived by any other party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other concurrent, previous or subsequent breach hereunder.

Section 4.5. Agreement to Pay Attorney's Fees and Expenses. Whenever any Event of Default occurs and the City shall employ attorneys or incur other expenses for the collection of payments due or to become due or for the enforcement or performance or observance of any obligation or agreement on the part of the Developer herein contained, the Developer agrees that it shall, on demand therefor, pay to the City the reasonable fees of such attorneys and such other expenses so incurred by the City.

Section 4.6. Indemnification of City.

(1) The Developer (a) releases the City and its governing body members, officers, agents, including the independent contractors, consultants and legal counsel, servants and employees (collectively, the "Indemnified Parties") from, (b) covenants and agrees that the Indemnified Parties shall not be liable for, and (c) agrees to indemnify and hold harmless the Indemnified Parties against, any claim, cause of action, suit or liability for loss or damage to property or any injury to or death of any person occurring at or about or resulting from any defect in the Project or on the Development Property.

(2) Except for any willful misrepresentation or any willful or wanton misconduct of the Indemnified Parties, the Developer agrees to protect and defend the Indemnified Parties, now and forever, and further agrees to hold the aforesaid harmless from any claim, demand, suit, action or other proceeding whatsoever by any person or entity whatsoever arising or purportedly arising from the actions or inactions of the Developer (or if other persons acting on its behalf or under its direction or control) under this Agreement, or the transactions contemplated hereby or the acquisition, construction, installation, ownership, and operation of the Project; provided, that this indemnification shall not apply to the warranties made or obligations undertaken by the City

in this Agreement or to any actions undertaken by the City which are not contemplated by this Agreement but shall, in any event and without regard to any fault on the part of the City, apply to any pecuniary loss or penalty (including interest thereon from the date the loss is incurred or penalty is paid by the City at a rate equal to the Prime Rate) as a result of the Project causing the Tax Increment District to not qualify or cease to qualify as an "economic development district" under Section 469.174, Subdivision 12, of the Act and Section 469.176, Subdivision 4c. or to violate limitations as to the use of Tax Increments as set forth in Section 469.176, Subdivision 4c.

(3) All covenants, stipulations, promises, agreements and obligations of the City contained herein shall be deemed to be the covenants, stipulations, promises, agreements and obligations of the City and not of any governing body member, officer, agent, servant or employee of the City.

ARTICLE V

DEVELOPER'S OPTION TO TERMINATE AGREEMENT

Section 5.1. The Developer's Option to Terminate. This Agreement may be terminated by the Developer, if (i) the Developer is in compliance with all material terms of this Agreement and no Event of Default has occurred; and (ii) the City fails to comply with any material term of this Agreement, and, after written notice by the Developer of such failure, the City has failed to cure such noncompliance within ninety (90) days of receipt of such notice, or, if such noncompliance cannot reasonably be cured by the City within ninety (90) days, of receipt of such notice, the City has not provided assurances, reasonably satisfactory to the Developer, that such noncompliance will be cured as soon as reasonably possible.

Section 5.2. Action to Terminate. Termination of this Agreement pursuant to Section 5.1 must be accomplished by written notification by the Developer to the City within sixty (60) days after the date when such option to terminate may first be exercised. A failure by the Developer to terminate this Agreement within such period constitutes a waiver by the Developer of its rights to terminate this Agreement due to such occurrence or event.

Section 5.3. Effect of Termination. If this Agreement is terminated pursuant to this Article V, this Agreement shall be from such date forward null and void and of no further effect; provided, however, the termination of this Agreement shall not affect the rights of either party to institute any action, claim or demand for damages suffered as a result of breach or default of the terms of this Agreement by the other party, or to recover amounts which had accrued and become due and payable as of the date of such termination. Upon termination of this Agreement pursuant to this Article V, the Developer shall be free to proceed with the Project at its own expense and without regard to the provisions of this Agreement; provided, however, that the City shall have no further obligations to the Developer with respect to reimbursement of the expenses set forth in Section 3.2; or to make any further payments on the TIF Note.

ARTICLE VI

ADDITIONAL PROVISIONS

Section 6.1. Restrictions on Use. Until termination of this Agreement, the Developer agrees for itself, its successors and assigns and every successor in interest to the Development Property, or any part thereof, that the Developer and such successors and assigns shall operate, or cause to be operated, the Project as a warehouse and distribution facility and shall devote the Development Property to, and in accordance with, the uses specified in this Agreement.

Section 6.2. Conflicts of Interest. No member of the governing body or other official of the City shall have any financial interest, direct or indirect, in this Agreement, the Development Property or the Project, or any contract, agreement or other transaction contemplated to occur or be undertaken thereunder or with respect thereto, nor shall any such member of the governing body or other official participate in any decision relating to the Agreement which affects his or her personal interests or the interests of any corporation, partnership or association in which he or she is directly or indirectly interested. No member, official or employee of the City shall be personally liable to the City in the event of any default or breach by the Developer or successor or on any obligations under the terms of this Agreement.

Section 6.3. Titles of Articles and Sections. Any titles of the several parts, articles and sections of the Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.

Section 6.4. Notices and Demands. Except as otherwise expressly provided in this Agreement, a notice, demand or other communication under this Agreement by any party to any other shall be sufficiently given or delivered if it is dispatched by registered or certified mail, postage prepaid, return receipt requested, or delivered personally, and

- (1) in the case of the Developer is addressed to or delivered personally to:

FoamCraft Packaging, Inc.
Attention: Donna J Ayers
400 Alexander Drv SW
Owatonna, MN 55060

- (2) in the case of the City is addressed to or delivered personally to the City at:

City of Owatonna, Minnesota
Attention: City Administrator
540 West Hills Circle
Owatonna, MN 55060

with a copy to:

Taft Stettinius & Hollister LLP
Attention: Mary Ippel
2200 IDS Center
80 South 8th Street
Minneapolis, MN 55402

or at such other address with respect to any such party as that party may, from time to time, designate in writing and forward to the other, as provided in this Section.

Section 6.5. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall constitute one and the same instrument.

Section 6.6. Law Governing. This Agreement will be governed and construed in accordance with the laws of the State.

Section 6.7. Expiration. This Agreement shall expire on the Termination Date.

Section 6.8. Provisions Surviving Rescission or Expiration. Sections 4.5 and 4.6 shall survive any rescission, termination or expiration of this Agreement with respect to or arising out of any event, occurrence or circumstance existing prior to the date thereof.

Section 6.9. Assignability of TIF Note. The TIF Note may only be assigned pursuant to the terms of the TIF Note and shall not be unreasonably withheld.

IN WITNESS WHEREOF, the City has caused this Agreement to be duly executed in its name and on its behalf and the Developer has caused this Agreement to be duly executed in its name and on its behalf, on or as of the date first above written.

CITY OF OWATONNA, MINNESOTA

By _____
Its Mayor

By _____
Its City Administrator

This is a signature page to the Development Agreement by and between the City of Owatonna, Minnesota and FoamCraft Packaging, Inc.

FOAMCRAFT PACKAGING, INC.

By _____
Its _____

This is a signature page to the Development Agreement by and between the City of Owatonna, Minnesota and FoamCraft Packaging, Inc.

EXHIBIT A

Description of Development Property

Property located in the City of Owatonna, Steele County, Minnesota with the following property identification number:

17-479-0105

EXHIBIT B

Form of TIF Note

No. R-1

\$ _____

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF STEELE
CITY OF OWATONNA

TAX INCREMENT REVENUE NOTE (FOAMCRAFT PROJECT)

The City of Owatonna, Minnesota (the "City"), hereby acknowledges itself to be indebted and, for value received, hereby promises to pay the amounts hereinafter described (the "Payment Amounts") to FoamCraft Packaging, Inc. (the "Developer") or its registered assigns (the "Registered Owner"), but only in the manner, at the times, from the sources of revenue, and to the extent hereinafter provided.

The principal amount of this Note shall equal from time to time the principal amount stated above, as reduced to the extent that such principal installments shall have been paid in whole or in part pursuant to the terms hereof; provided that the sum of the principal amount listed above shall in no event exceed \$138,459 as provided in that certain Development Agreement, dated as of September 19, 2023, as the same may be amended from time to time (the "Development Agreement"), by and between the City and the Developer. The unpaid principal amount hereof shall bear interest from the date of this Note at the simple non-compounded rate of four and no hundredths percent (5.00%) per annum. Interest shall be computed on the basis of a 360 day year consisting of twelve (12) 30-day months.

The amounts due under this Note shall be payable on August 1, 2025, and on each February 1 and August 1 thereafter to and including February 1, 2034, or, if the first should not be a Business Day (as defined in the Development Agreement), the next succeeding Business Day (the "Payment Dates"). On each Payment Date the City shall pay by check or draft mailed to the person that was the Registered Owner of this Note at the close of the last business day of the City preceding such Payment Date an amount equal to the sum of the Tax Increments (hereinafter defined) received by the City during the six month period preceding such Payment Date. All payments made by the City under this Note shall first be applied to accrued interest and then to principal. This Note is prepayable by the City, in whole or in part and without penalty, on any date.

The Payment Amounts due hereon shall be payable solely from 90% of the tax increments (the "Tax Increments") from the Development Property (as defined in the Development Agreement) within the City's Tax Increment Financing District (Economic Development) No. 3-17 (FoamCraft) (the "Tax Increment District") within its Development District No. 3 which are paid to the City and which the City is entitled to retain pursuant to the provisions of Minnesota Statutes, Sections 469.174 through 469.1794, as the same may be

amended or supplemented from time to time (the "Tax Increment Act"). This Note shall terminate and be of no further force and effect following the last Payment Date defined above, on any date upon which the City shall have terminated the Development Agreement under Section 4.2(2) thereof or the Developer shall have terminated the Development Agreement under Article V thereof, on the date the Tax Increment District is terminated, or on the date that all principal and interest payable hereunder shall have been paid in full, whichever occurs earliest.

The City makes no representation or covenant, expressed or implied, that the Tax Increments will be sufficient to pay, in whole or in part, the amounts which are or may become due and payable hereunder.

The City's payment obligations hereunder shall be further conditioned on the fact that no Event of Default under the Development Agreement shall have occurred and be continuing at the time payment is otherwise due hereunder, but such unpaid amounts shall become payable if said Event of Default shall thereafter have been cured; and, further, if pursuant to the occurrence of an Event of Default under the Development Agreement the City elects to cancel and rescind the Development Agreement, the City shall have no further debt or obligation under this Note whatsoever. Reference is hereby made to all of the provisions of the Development Agreement, including without limitation Section 3.3 thereof, for a fuller statement of the rights and obligations of the City to pay the principal of this Note, and said provisions are hereby incorporated into this Note as though set out in full herein.

This Note is a special, limited revenue obligation and not a general obligation of the City and is payable by the City only from the sources and subject to the qualifications stated or referenced herein. This Note is not a general obligation of the City and neither the full faith and credit nor the taxing powers of the City are pledged to the payment of the principal of this Note and no property or other asset of the City, save and except the above-referenced Tax Increments, is or shall be a source of payment of the City's obligations hereunder.

This Note is issued by the City in aid of financing a project pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including the Tax Increment Act.

This Note may be assigned only with the consent of the City which consent shall not be unreasonably withheld. In order to assign the Note, the assignee shall surrender the same to the City either in exchange for a new fully registered note or for transfer of this Note on the registration records for the Note maintained by the City. Each permitted assignee shall take this Note subject to the foregoing conditions and subject to all provisions stated or referenced herein.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions, and things required by the Constitution and laws of the State of Minnesota to be done, to have happened, and to be performed precedent to and in the issuance of this Note have been done, have happened, and have been performed in regular and due form, time, and manner as required by law; and that this Note, together with all other indebtedness of the City outstanding on the date hereof and on the date of its actual issuance and delivery, does not cause the indebtedness of the City to exceed any constitutional, statutory, or charter limitation thereon.

IN WITNESS WHEREOF, City of Owatonna, Minnesota, by its City Council, has caused this Note to be executed by the manual signatures of its Mayor and City Administrator and has caused this Note to be dated as of _____, 20____.

City Administrator

Mayor

DO NOT EXECUTE UNTIL PAID INVOICES FOR SITE IMPROVEMENTS ARE GIVEN TO THE CITY - REFER TO SECTION 3.3(1).

CERTIFICATION OF REGISTRATION

It is hereby certified that the foregoing Note was registered in the name of FoamCraft Packaging, Inc. and that, at the request of the Registered Owner of this Note, the undersigned has this day registered the Note in the name of such Registered Owner, as indicated in the registration blank below, on the books kept by the undersigned for such purposes.

<u>NAME AND ADDRESS OF REGISTERED OWNER</u>	<u>DATE OF REGISTRATION</u>	<u>SIGNATURE OF CITY ADMINISTRATOR</u>
FoamCraft Packaging, Inc. Attention: Donna J Ayers 400 Alexander Drv SW Owatonna, MN 55060		

EXHIBIT C

Site Improvements

Landscaping, including irrigation
Foundations and Footings
Grading/earthwork
Engineering
Survey
Environmental Testing
Soil Borings
Site Preparation
Onsite Utilities
Storm Water/Ponding
Outdoor Lighting
Onsite Road, Curb, Gutter, Driveway, Sidewalk and Streetscape Improvements
Parking



Mayor Kuntz



Administration Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Mayor Thomas A. Kuntz
SUBJECT: Recommend Appointment to the HRA - Julie Fiske

Purpose:

Council to approve the recommendation of Julie Fiske to the Housing and Redevelopment Authority (HRA).

Background:

Chapter eight of the City's Charter authorizes power to establish boards responsible for the maintenance and operation of public property under its charge. The Housing and Redevelopment Authority (HRA) is one of the City's boards with five members. Currently, two seats are open and the application is available on the City's website. A completed application was received from Julie Fiske and background verification was completed. The Owatonna Police Department has no objection to this appointment.

The application form for board/commission members is available on the City's website for current openings, one on the HRA and one on the Park Board.

Budget Impact:

None

Staff Recommendation:

Recommends approval to fill the current vacant seat on the HRA with term to expire April 30, 2027.

Attachments:

None

Owatonna City Council Minutes – Draft Copy September 5, 2023

On Tuesday, September 5, 2023, at 7:00 p.m. Council President Schultz called the regular session of the Owatonna City Council to order in the Gainey Room at the Owatonna Public Library. Present were Council Members Raney, Voss, Burbank, Boeke, Dotson, Svenby, and Schultz; Mayor Kuntz; Community Development Manager Kruschke; Public Works Director Murphy; Park and Rec, and Facilities Director Tuma; IT System Administrator Sticken; City Attorney Walbran; City Administrator Busse and Administrative Coordinator Clawson.

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 Voss seconded the motion, and all members voted aye for approval.

Mayor Kuntz requested the Letter of Resignation received from Hussein Osman from the City's Housing and Redevelopment Authority (HRA) be accepted. Council Member Voss made a motion to accept this resignation, Council Member Burbank seconded the motion, and all members voted aye in approval. Council Member Boeke thanked Mr. Osman for his service to the City on the HRA.

Mayor Kuntz proclaimed Thursday, September 7th as the 2023 Quilt of Valor Day. Seven veterans will be recognized and receive quilts during this event hosted by the Owatonna Exchange Club at Torey's. A copy of the proclamation is included in tonight's meeting packet and will be available on the City's website.

Consent Agenda Items

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 - August 15, 2023

Minutes - EDA Meeting - July 19, 2023

Weed/Nuisance Inspection Report - August 30, 2023

Tree Trimmer's Permit - Albert Lea & Austin Tree Service

Exempt Permit - Calendar Raffle - Owatonna Exchange Club - December 14, 2023

Trunk or Treat - Trinity Lutheran Church - October 26, 2023

Relay for Life & 5k Run - September 23, 2023

Quote - Asphalt Crack Repair & Crack Seal - North Straight River Parkway

Three quotes were received and Seal King provided the low bid of \$14,573.60.

Work Order #11 – Professional Engineering Services - Airport Security Fencing & Gates – Bolton & Menk Inc.

This project will involve the installation of 5' chain link fencing around the building, hangar area and airport frontage per FAA specifications. Automatic gates will be positioned to allow for access control to the airside apron and aircraft movement areas which will also include tenant access systems. Engineering services proposed under Work Order No. 11 shall be provided on an actual cost basis but

not exceed \$13,900.00 for all phases of the project. Funding participation for this Work Order will be Federal (90%) at \$ 12,510.00; State (5%) at \$695.00 and Local (5%) at \$695.00.

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

Finance Report

Council Member Raney recapped payments made for amounts greater than \$20,000 during this period. The total amount of bills presented was \$1,572,903.97. Council Member Boeke made a motion to approve payment of all bills presented, Council Member Burbank seconded the motion, and all members present voted aye in approval. Council Member Boeke commented he was uncertain the number of streets repaired from the hot mix purchased from Crane Creek Asphalt; he wanted to thank Public Works Director Murphy and his staff for doing a great job repairing the City's streets.

Second/Final Reading Proposed Ordinance 23-15: RZ-4 and Minor PUD at 130 Front Street

Community Development Director Klecker presented Proposed Ordinance 23-15 for the second/final reading. Application No. RZ-4 was received on behalf of Matt Olson to rezone property at 130 Front Street E from I-1, Light Industrial District to B-3, Central Business District as well as a minor PUD for the purposes of providing a mixed-use facility of barbell warehousing and a golf simulator entertainment venue. The Council approved the first reading of this ordinance during their August 15, 2023 meeting and there have been no changes since. Council Member Raney made a motion for approval, Council Member Voss seconded the motion. With a roll call vote, voting aye were Council Members Svenby, Voss, Dotson, Burbank, Boeke, Raney and Schultz; no nay votes; and the motion carried. This will be known as Ordinance 1654 and effective upon publication.

First Reading Proposed Ordinance 23-16: Amend Chapter 133 to Permit an Archery Hunt for Deer Management

City Attorney Walbran requested approval of the first reading of Proposed Ordinance 23-16. During their regular City Council Meeting on May 2, 2023, the Council approved the 2023 Annual Deer Culling Event between the dates of September 23 to November 19, 2023, and from November 20 to December 17, 2023. Under Title XIII, Chapter 133, § 133.01, of the City's Ordinance Code, entitled "WEAPONS AND DANGEROUS DEVICES", it is unlawful to discharge any weapon of any kind within the corporate limits of the City, except as enumerated in the Exclusions. To permit the archery hunt to cull the deer population within the City as authorized by the DNR, it is necessary to amend the Ordinance to provide for an additional exclusion to permit a controlled archery hunt within designated areas in the City parks for the Deer Management Plan as approved by the DNR. Council Member Dotson made a motion for approval, Council Member Boeke seconded the motion. With a roll call vote, voting aye were Council Members Svenby, Voss, Dotson, Burbank, Boeke, Raney, and Schultz; no nay votes; and the motion carried. The second/final reading of this proposed ordinance will be heard during the next City Council Meeting on September 5, 2023.

First Reading Proposed Ordinance 23-17: RZ-5 Rezone from B-2 to I-1 at 3745 Hoffman Drive NW

Community Development Director requested approval of the first reading of Proposed Ordinance 23-17, Application No. RZ-5 received from Cameron Peterson of Paul's Transports. This is a request to rezone the property located at 3745 Hoffman Drive NW from B-2, Community Business District to I-1, Light Industrial District, for the purpose of operating a trucking business. A public hearing was held during the Planning Commission Meeting and the neighbor to the south of this property expressed some concerns with drainage and identification of the property lines. These issues will be handled within the permits issued for the property improvements. Council Member Raney commented the Planning Commission Minutes noted grading was done at this property without obtaining a Grading Permit and he questioned how someone worked on this property without the property owner's permission. Klecker commented that this is not a unique incident, property lines are not often well-defined, and some cities do not require Grading Permits. Often a contractor is unaware of our requirements and will begin work on a project. We do stop them and require that they file and obtain a Grading Permit to complete their job. Council Member Boeke made a motion for approval, Council Member Burbank seconded the motion. With a roll call vote, voting aye were Council Members Svenby, Voss, Dotson, Burbank, Boeke, Raney, and Schultz; no nay votes; and the motion carried. The second/final reading of this proposed ordinance will be heard during the next City Council Meeting on September 5, 2023.

Resolution 75-23 Authorize General Obligation Street Reconstruction Bonds - 2023B

Doug Green, Director at Baker Tilly and consultant to the City for bonds presented Resolution 75-23. This resolution provides for the sale of General Obligation Street Reconstruction Bonds, Series 2023B. These bonds, totaling \$2,6000,000 will finance the following street projects:

1. 2022 Street & Utility project including Selby, 15th Street NE, Selby, and Linn
2. 2023 Street & Utility project including Butternut Ave SW, Riverview Place SW, and School Street E
3. Portions of Havana Road and the 18th Street Roundabout projects not funded by state aid

The City's 2022 project was small and the City was able to cover the costs until this bonding cycle for cost efficiencies. These bonds will be repaid over ten years through a combination of assessments and a debt service levy. Items included in tonight's Council Packet show the terms for the proposal, instructions to bidders, and presale information. The bonds are scheduled for sale on October 3, 2023, with results presented during the Council Meeting that evening. Prior to the sale, a review/update of the City's credit rating will be completed. Anticipating the interest rate will be 3.0-3.5%, which is slightly higher than the interest rate of the last bonds sold by the City in 2021. Council Member Svenby made a motion to approve Resolution 75-23, Council Member Voss seconded the motion, and all members voted aye in approval.

Community Development Director Klecker commented that the next three resolutions are all in regard to the Airport Security Fencing and Gate Project. The project includes

construction of approximately 3,500 linear feet of 5' chain line fencing, manual maintenance access gates, and two automated gates with access control at the airport. The FAA grant agreement is for 90% funding participation for all eligible project costs including engineering, construction, and administrative costs. Funding is available under the Public Law 117-58-Infrastructure Investment and Jobs Act referred to as the Bipartisan Infrastructure Law (BIL). These funds are to be administered by the FAA and directed to airport infrastructure improvements. The project grant is anticipated but not yet in hand and the signed grants are due back to the FAA Airport District Office (ADO) by September 18th. Our next City Council meeting is scheduled on the 19th so this request for approval to authorize acceptance by signature of the City Administrator upon receipt. Anticipated funding for this project is \$231,005.00 with federal participation \$188,224.00, state participation \$25,763.00, and local participation \$ 17,018.00. Staff recommends approval of Alternate 1 be chosen in the quote to provide a more professional look with a black vinyl fence. Council Member Svenby asked if there will be fencing between the three south hangar buildings. Klecker responded there is currently fencing there which will be replaced during this project to provide a consistent look. Council Member Burbank asked why it is necessary to have fencing at the airport. Klecker commented that the airport is adjacent to the interstate and located between two interstate exits. There have been incidents involving people driving on the runways and vehicles loitering in the parking lot. We do want to provide a welcoming environment and also want to provide some security. Council Member Raney confirmed access to the parking lot will remain open. Klecker responded that the long-term plan is to completely enclose the airport, which would also include eight-foot fencing to restrict wildlife, but there has not been any timeline set to complete this additional phase of the project.

Resolution 76-23 Accept FAA Grant Agreement – Airport Security Fencing and Gate Project

Council Member Raney made a motion to approve Resolution 76-23 authorizing acceptance of the anticipated FAA Grant agreement for \$188,224. Council Member Dotson seconded the motion, all members voted aye in approval.

Resolution 77-23 Accept MnDOT Grant Agreement – Airport Security Fencing and Gate Project

Council Member Boeke made a motion to approve Resolution 77-23 authorizing acceptance of the MnDOT Grant agreement for \$25,763.00. Council Member Voss seconded the motion, all members voted aye in approval.

Resolution 78-23 Accept Bid and Award Contract - Airport Security Fencing and Gate Project

Council Member Svenby made a motion to approve Resolution 78-23 to accept the bid received from Century Fence Company with Alternate #1 contingent on securing the anticipated federal and state funds. Council Member Boeke seconded the motion, all members voted aye in approval.

Resolution 79-23: Accept Parkland Donation for Dartt's Park - Maureen Henderson

Community Development Director Klecker requested approval of Resolution 79-23 to accept a parkland donation for Dartt's Park. Maureen Casey Henderson owns 1.19 acres of land just east of Dartt's Park. The land was part of her childhood home on Parkview Place NE. After the house was sold, this parcel was retained by Ms. Henderson because of the fond childhood memories she had of this property. The property is a natural wooded area and Ms. Henderson would like it to be maintained as a natural wooded area and not developed as active parkland within Dartt's Park. There are stipulations within the resolution to ensure that the property is maintained as a natural wooded area, including demarcation signs around the parcel. The City will be responsible for the demarcation signs and property maintenance. Council Member Boeke questioned if the property is on both sides of Maple Creek. Klecker displayed a plat of the area showing this property is all located on the park side of the creek. Council Member Raney made a motion for approval to accept this parkland donation. Council Member Burbank seconded the motion, and all members voted aye in approval. Council Member Boeke expressed a heartfelt thank you to Ms. Henderson for this property donation.

On-Sale Wine and Malt Liquor Licenses - The Smokin Silverback

City Administrator Busse requested approval of the applications received from Ben Meyer for an On-Sale Wine License and a Malt Liquor License at The Smokin Silverback at 1832 S Cedar Avenue. The restaurant opened earlier this year and building renovations are now completed for issuance of the Final Certificate of Occupancy. A background verification was completed and Captain Mundale has no objection to the issuance of these licenses. These licenses will become effective upon receipt of all required items (payment of license fees and Certificate of Liability Coverage) to be effective for the remainder of the current licensing period which will expire on June 30, 2024. Council Member Dotson made a motion for approval, Council Member Voss seconded the motion, and all members voted aye in approval.

Facility Use Agreement - Use of Council Chambers - Owatonna Independent School District #761

City Administrator Busse presented a Lease Agreement with Owatonna School District 761 for use of the Council Chambers. The City has offered the school district use of the new chambers for their board meetings. Sharing this facility provides the community with cost-effective use of the newly remodeled space. This provides a way in which the city and school district can work together for the betterment of the Owatonna taxpayer. The three-year lease outlines the specifics of the days and times of use along with insurance requirements, indemnification language, and other details of use. There will be no rent charged to the school district for use of the chambers. Council Member Svenby commented that the City has invested a lot of money in new technology within this room and would like the agreement to include a clause to share future technology repairs and/or updates. City Administrator Busse commented that this is a three-year agreement and this clause could be included when the agreement is renewed. Council Member Svenby commented that the school won't use the room until October and suggested tabling the agreement until the next Council Meeting. Council Member Boeke

commented consideration could be given to wear and tear on all items in the room. Park and Rec and Facilities Director Tuma commented she isn't certain what the length of the warranty on technology is but is often only a 90-day period. Tuma suggested approving the lease and preparing a memorandum about technology use costs and/or repairs. Council Member Svenby agreed and asked City Administrator Busse to discuss consideration of future technology costs with the school district. Council Member Voss made a motion to approve the agreement as presented, Council Member Raney seconded the motion and all members voted aye for approval.

Voting Operations, Technology and Election Resources Agreement - Steele County

City Administrator Busse requested authorization to enter into the Agreement with Steele County for expenses directly related to elections. During the 2023 Legislative Session, \$1.25 million was allocated annually for expenses directly related to elections statewide. Steele County will receive an allocation of \$9,264.31 and will retain seventy-five percent as the local Commissioner of Elections and administrator of absentee voting for the statewide general elections. The remaining funds are shared among cities, towns, and townships within the county per population; Owatonna's share of funds will be \$1,602.94. This agreement will authorize the deduction of this amount from the annual cost of voting equipment maintenance or we purchase election items and file for reimbursement from the County up to this amount. Staff recommends approval of this agreement with Option 1 to authorize a deduction of \$1,602.94 from the cost of voting machine maintenance costs. Council Member Burbank made a motion for approval, Council Member Boeke seconded the motion, and all members voted aye for approval.

American Engineering Testing WWTF Environmental Observation and Testing Agreement Amendment

Public Works Director Murphy requested approval of the amended agreement with American Engineering Testing (AET) for Environmental Observation and Testing Services for the WWTP Expansion. AET has been assisting with screening and manifesting impacted debris and soils removed from the WWTF site since July 2022. The volume of debris encountered and staff time has increased the initial estimated amount. The proposed increases include \$18,000 for asbestos inspections and report prep; \$19,000 for soil removal oversight and manifesting, \$3,000 for project oversight and reporting. The total adjustment amount is \$40,000 for the total amended contract amount now \$88,352.00. Council Member Boeke commented that this amendment will double the original proposal. Public Works Director Murphy commented that the unforeseen costs are justified, it was hard to anticipate the amount of debris encountered. Council Member Burbank commented he isn't surprised as this site was previously a City Dump. Council Member Raney made a motion to approve this amendment to the agreement, Council Member Boeke seconded the motion, all members voted aye in approval.

Temporary Traffic Control at 18th Street SE and CSAH 48

Public Works Director Murphy requested approval of Temporary Traffic Control changes needed until the completion of the CSAH 48 and 18th St. SE roundabout project near

the new Owatonna High School. Due to unforeseen circumstances, the roundabout at 18th Street SE and CSAH 48 (Bixby Road) is not completed and this week, classes commenced at the new Owatonna High School on 18th Street SE. The delay has created the need for City and County officials to implement temporary traffic changes to provide a safe alternative route to the high school. This includes installing additional temporary stop signs at 18th Street SE and Hayes Avenue SE to make the T-intersection an all-way stop. "No Parking" signs will be placed on Hayes Avenue SE from Havana Road to 18th Street SE to improve visibility for traffic. City and County staff will monitor traffic patterns near the High School and adjust traffic controls, if needed. Weather permitting, the new roundabout is expected to be open to traffic in November. Cost incurred by the City for these additional traffic amenities will be approximately \$700 plus staff time to coordinate and install. Council Member Raney commented that the railroad is responsible for delays in completing this project. The City, County, and School have all tried to proceed with this project's completion but the railroad has created many hurdles creating time delays and now we face traffic issues. Council Member Boeke made a motion to approve the temporary traffic controls, Council Member Voss seconded the motion, and all members voted aye in approval.

Garbage & Refuse Hauling License - Bin Pro Dumpster Rentals - Janesville MN

City Administrator Busse requested approval of the application received from Peder Lehrke for a Garbage & Refuse Hauling License. Mr. Lehrke's company, Bin Pro Dumpster Rentals, is located in Janesville, MN, is a rental-only business offering 10yd, 15yd, 20yd, and 30yd roll off dumpster containers and does not provide residential services. A background verification was completed and based on this investigation, Chief Mundale has no objections to the issuance of this license. Fees received include the \$75 annual license fee for one vehicle, \$50 application fee, and \$100 background verification required for new license holders. Council Member Raney made a motion for approval, Council Member Boeke seconded the motion, and all members voted aye for approval.

STAFF COMMENTS

Community Development Director Klecker commented that staff are working with Stantec on the Comprehensive Plan. Currently, there are opportunities available to participate in public engagement sessions creating the visualization of the community's future. Currently, there are a lot of projects in process, some will be completed prior to year-end but many will be carried into next year. Thru referrals from DEED, the City has been submitting a number of development proposals for future industrial projects. Some projects are just too big for us and we can't compete for them but hopefully, the City of Owatonna will be chosen for some of these projects.

Public Works Director Murphy commented three new staff members recently began their duties: Scott Soderlind, Senior Maintenance Worker began on August 28; Nick Blum, Senior Maintenance Worker also began on August 28, and Melissa Maxa, Wastewater Forewoman at the Wastewater Treatment Plant began September 1. The Havana Road project is now complete; the 2022 Street and Utility Project received the last lift of asphalt today so this project should be done within a few days and the 2023 Street and Utility Project also started today on Butternut and Riverview. Progress

continues on the WWTP Project and there haven't been any new price escalations incurred. This week, Public Work staff members will be participating in the Downtown Thursday event and will be available to meet the public and answer their questions. He reminded everyone that school just started and asked everyone to pay attention to pedestrians. Pedestrians do have the right to cross at any defined intersection regardless if the crosswalk is marked. An advertisement was just posted this week for engineering positions within our department.

Park & Recreation and Facilities Director Tuma commented last week 36 applications were received to fill 34 spots available in the 2023 Deer Management Program. Applicants will now complete proficiency testing. Last year we received feedback regarding signage for this event and this year there will be more signs posted and they will include multiple languages. Transitioning from summer to fall, Brooktree will be celebrating its 60th anniversary with a tournament on October 1st. For the next few days, we are offering golf for Buck a Hole as we are aerating at the course.

PUBLIC COMMENTS

Matt Sennott, 2519 Stony Creek Drive, commented he has concerns about the proposal for 29th Avenue East to become the City's East Side Corridor. He expressed similar concerns during the last City Council Meeting and doesn't believe placing a highway where a residential street is planned doesn't make sense. We want to plan for future development, we want advanced planning and fiscal responsibility with advanced planning as this area is developed.

Melissa Zimmerman, 2525 Stony Creek Drive, commented she will comment about the proposed east side corridor and Imagine Owatonna. Previous proposals for 29th Avenue to serve as the East Side Corridor have failed. The corridor should be built where structures exist over Maple Creek which is 34th Avenue. Residents have wanted 34th Avenue to serve as the east side corridor for decades and should be considered for this purpose.

COUNCIL COMMENT AND GENERAL INFORMATION

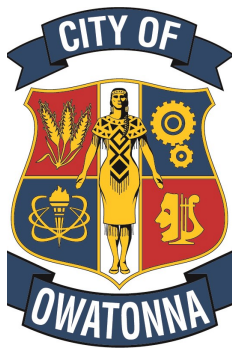
Council Member Dotson commented that school just started and asked drivers to look out for kids walking along the streets.

Council President Schultz also asked everyone to take care of the little kids as they are out and about.

ADJOURNMENT

At 8:16 p.m., Council Member Raney made a motion to adjourn, Council Member Voss seconded the motion, and with no objection heard the meeting ended.

Respectfully submitted,
Jeanette Clawson, Administrative Coordinator



Board - Commission Minutes

OWATONNA PLANNING COMMISSION MINUTES FOR AUGUST 22, 2023

The Owatonna Planning Commission met in regular session at 5:30 pm in the Gainey Room of the Owatonna Public Library with Chairperson Kelly Rooks conducting the meeting. Present at roll call were Commissioners David Effertz, John Eickhoff, Mark Meier, Rachel Springer-Gasner, and Kelly Rooks. Commissioners Nick Peake and Mark Wilson were absent. Community Development Manager Greg Kruschke and Senior Administrative Technician Kristen Kopp were also present.

A motion was made by Effertz and seconded by Eickhoff to approve the minutes of the regular meeting of August 8, 2023. All Commissioners voting Aye, the motion carried.

Application No. RZ-5, which is a request by Cameron Peterson, Paul's Transports, to rezone property from B-2, Community Business District, to I-1, Light Industrial District, for the purpose of operating a trucking business out of the facility located at 3745 Hoffman Drive NW, was presented by Community Development Manager Greg Kruschke. (Refer to report on file.) Public hearing opened at 5:34 pm. Cameron Peterson, the applicant, addressed the concern about people living there. They do have their own RV parked on the property, but no one is living there. Kurt Welker, owner of the property directly to the south at 3750 9th Street NW, said that he took a look at the zoning application. He's not opposed to a trucking company going in there, but he said a lot of the exhibits in the application are not really correct or factual. If you look at the back page, it says there is 65 feet between the accessory building and his property, but that's actually about 56 feet. As Greg noted, they are required to determine property boundaries. When they started grading, they determined the property boundaries using the county photometrics—which is close, but not correct—instead of finding corner pins. So they painted a line on the grass where they thought their property was, but it was 5 feet into his property, and they continued to grade another 15 feet past that line. So they are way past their property lines in their grading. He did point out corner stakes, but their silt fence is still 5 feet on his property. The water flow shown the back page shows that most of the water flows would go to the ditch on Crane Creek Road, which is incorrect. He has a drawing with the contours. Water predominantly flows perpendicular to the contour lines, which predominantly run north/south and east/west behind the building. Most of that site either flows to west past the home that's adjacent to it, to a swale between that home and the Retrofit building, and then south to his property and Jack's Nursery. The rest of it predominantly flows south to his property. They're proposing 15,000 square feet of impervious surface. Because this was subdivided prior to requirements for subdivision, there are not retention or detention treatment requirements for stormwater, but an inch of rain will dump about 10,000 gallons onto his property. He's in conversations with a tenant / buyer to develop additional portions of his property, which creates additional work for him. He said he would like the board to require the exhibits be correct with dimensions and water flows before they approve the rezoning. He said he is not an engineer, but he does understand water flows and drainage. He would rather not have to deal with other people's drainage, and would like to see things correct on an application like he would try to do on an application he was submitting. Public hearing closed at 5:39 pm. Kruschke said as it comes down to the drawings and application materials, they only require a concept drawing and legal description for a rezoning. But as they get into stormwater and grading permits and building permits, then they are required to be accurate. He said he doesn't have any concern with the materials provided. They've approved other rezonings in which they've gotten less materials on. The City is granted purview just to rezone property as they wish without any materials, just a legal description. He doesn't have any concerns legally with how all of that is handled. It will be addressed through the permitting process. Eickhoff asked where the applicant is at on the permitting side of things. Kruschke said that building inspections had required an architect to look at the building due to the change of use and they have applied for a grading permit. Before a grading permit can be issued, he would have to sign off on it. He

wouldn't sign off on it if it doesn't meet zoning. He will check back in on that. Meier said essentially we have to approve the zoning to get to approving the grading. Kruschke said in this case yes, they can run parallel tracks. The permits have no bearing on the rezoning request. Cameron Peterson said that they did submit an application for a grading permit, and it was brought to their attention that it has to be rezoned before they can move on with it. A motion was made by Eickhoff and seconded by Effertz to recommend City Council approval of this rezoning to I-1, Light Industrial, from B-2, Community Business District. All Commissioners voting Aye, the motion carried.

Kruschke gave an update on the Comprehensive Plan. Kruschke said they are doing two big focus group days that the Planning Commission is more than welcome to attend. On August 31 they will be holding a senior focus group, a Hispanic focus group, and a focus group with Somali men. On September 12 they will be holding a focus group with Somali Women and the local nonprofits. They'll all be at OPU, and he can get the information to the Commissioners if they are interested. There have been successful events so far. The Park and Rec focus group was last Monday at Park and Rec Board and they had an additional 10 members of different associations around.

The next Planning Commission meeting will be on September 12, 2023. There will be a TIF Compliance Resolution for Foamcraft as they are putting on a 15,000 square foot addition. They will also have a request from Steele County for a loading dock within 200 feet of a front property line for an addition they want to do at the Jail, a plat downtown next to the County Attorney's office, and a plat and rezoning request for the Community Corrections building they want to build downtown.

There being no further business to come before the Planning Commission at this time, a motion was made by Meier and seconded by Springer-Gasner to adjourn the meeting at 5:45 pm. All Commissioners voting Aye, the motion carried.

Respectfully Submitted,

Greg Kruschke
Community Development Manager

OWATONNA PLANNING COMMISSION MINUTES FOR SEPTEMBER 12, 2023

The Owatonna Planning Commission met in regular session at 5:30 pm in the Gainey Room of the Owatonna Public Library with Chairperson Kelly Rooks conducting the meeting. Present at roll call were Commissioners David Effertz, John Eickhoff, Mark Meier, Nick Peake, Kelly Rooks, and Mark Wilson. Commissioner Rachel Springer-Gasner was absent. Community Development Manager Greg Kruschke and Administrative Technician Kristen Kopp were also present.

A motion was made by Eickhoff and seconded by Meier to approve the minutes of the regular meeting of August 22, 2023. All Commissioners voting Aye, the motion carried.

CUP-9, which is a request by Allison Timmins, Wold Architects, on behalf of Steele County, for a structured loading area with doors facing the public right of way for the property located at 2500 Alexander Street SW, was presented by Community Development Manager Greg Kruschke. Code requires these to be 200' away from the ROW where they are only providing 120' for the structure. (Refer to report on file.) Public hearing opened at 5:33 pm. No comments were made regarding this request. 5:34 pm. A motion was made by Eickhoff and seconded by Effertz to recommend City Council approval of this conditional use permit to allow for a loading zoning to be located within 200' of a public right of way with the following conditions:

- 1) A grading permit will be required prior to commencing of work on the site.
- 2) The applicant will need to provide a review of the stormwater situation on the property.

All Commissioners voting Aye, the motion carried.

Application No. RZ-6, which is a request by Allison Timmins, Wold Architects, on behalf of Steele County, to rezone property from B-2, Community Business District, to B-3, Central Business District, for the purposes of constructing a new Community Corrections building for the property located at 121 Mill Street East, was presented by Community Development Manager Greg Kruschke. (Refer to report on file.)

Preliminary Plat of Cedar Mill Addition, which is an 0.84± acre tract of land to be rezoned B-3, Central Business District, owned by Steele County and located at 121 Mill Street East, was presented by Community Development Manager Greg Kruschke. (Refer to report on file.)

Kruschke said staff has had three calls on the notices. The majority of the concerns were "What is this?" as the notice said Community Corrections. He said this isn't a new use downtown. They never knew it was there. The second concern was about how it will fit into the neighborhood and staff has addressed those issues.

Public hearing for both requests opened at 5:40 pm. Brian Erickson, General Manager of Physical Services at Federated Insurance, was present representing Federated Insurance. He said they don't have any issues with occupancy, plat, or zoning, but would like to echo the City's comments about the exterior finish and appearance of the proposed building. He said they think it would be better if it has more of an office / retail / professional exterior appearance rather than the original proposed steel industrial look. Having buildings and owing property adjacent to that is one of their concerns in terms of the neighborhood. Also, having participated in the Owatonna Forward and Owatonna revitalization projects, Federated wouldn't want to see the appearance downtown take a step backwards after all the progress

that's been made. Public hearing closed at 5:42 pm. Nick Peake said he agrees about the steel siding. You wouldn't be able to build an outbuilding for your house that way on your residential lot, let alone a building downtown, so he doesn't think that's appropriate. Even the stucco is kind of a copout. You'd need some sort of brick, at least on the major side of it. Besides that, the rest of it makes sense. Meier asked what can be done on our end? Can we require a more fitting structure? Kruschke said, within the findings of a rezoning, you get into that it could be a negative impact to the neighborhood. As you get into the finish of the building, and legally speaking it may be tough to do that. He said that steps can be taken, though. The City doesn't have elevation standards, and hasn't done that in the downtown area. When you start to get into historic preservation, it can get very nitpicky on where to go. The City has taken the position that people will do the right thing and have worked with others on that. They've had that conversation here, and they've been working on that already. They still have to go through bid process and put the plans together. There is a review the MainStreet Design Committee does. They ask that applicants try to meet the intent and character of the B-3. Kruschke said that Jacob and his team have been looking at things already and are taking the comments in tonight. This is the first step of many as they go forward.

A motion was made by Effertz and seconded by Wilson to recommend City Council approval of this rezoning from B-2, Community Business District, to B-3, Central Business District. All Commissioners voting Aye, the motion carried.

A motion was made by Eickhoff and seconded by Wilson to recommend City Council approval of this preliminary plat 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) The plat shall be contingent upon the rezoning request.
- 4) All unused water and sewer services shall be disconnected at the main.
- 5) All comments of the City Engineers Memo shall be adhered to.

All Commissioners voting Aye, the motion carried.

CUP-10, which is a request by Craig Britton, Widseth, on behalf of Chad Lange and Prairie La Salle Partners, for a minor PUD Amendment for Mineral Springs Estates, was presented by Community Development Manager Greg Kruschke. The amendment is to change the block of single family attached homes in Block 4 to 9 single family detached homes. The change lowers the density from 14 units to 9 units in Block 4. (Refer to report on file.)

Final Plat of Mineral Springs Estates, which is an 82.72± acre tract of land to be zoned PUD, Planned Unit Development, requested by Prairie LaSalle Partners, owned by Chad Lange, Festal Farms and located east of St. Paul Road and north of Lee Street NE, was presented by Community Development Manager Greg Kruschke. (Refer to report on file.)

Public hearing for both of these requests opened at 5:49 pm. No comments were made regarding these requests. Public hearing closed at 5:50 pm.

A motion was made by Effertz and seconded by Peake to recommend City Council approval of this minor amendment to the PUD by this conditional use permit CUP-10 to Mineral Springs Estates to change the

block of single family attached homes in Block 4 to 9 single family detached units with the following condition:

- 1) City staff shall approve all street names prior to the plat being recorded.

All Commissioners voting Aye, the motion carried.

A motion was made by Effertz and seconded by Peake to recommend City Council approval of this final plat of Mineral Springs Estates with the following conditions:

- 1) The final plat shall be recorded within 60 days of the date of approval of the final plat.
- 2) The title opinion shall be approved by the City Attorney prior to recording of the final plat.
- 3) The minor PUD Amendment referred to as CUP-10.
- 4) A development agreement will need to be recorded along with the final plat.
- 5) The plans shall adhere to the approved wetland delineation and replacement plan as determined by the Soil & Water Conservation District.
- 6) Temporary turn arounds are required to be constructed at all dead-end streets that do not connect immediately as required per fire code.
- 7) All conditions included in the City Engineer's memo dated 5/5/2023 shall be met.

All Commissioners voting Aye, the motion carried.

Kruschke said they've held a number of focus groups since they last met. Today they had a non-profit focus group with about 40 in attendance. They had a great discussion. They also had an at-large group this morning, which included a group of two dozen ALC students that came over. Pedestrian connectivity, affordable housing into housing of all types, and a community center are the three biggest items that have come up. Stantec is planning to be back at Planning Commission on September 26. They've also kicked off an Engage Owatonna platform as well.

FoamCraft TIF Compliance was presented by Community Development Manager Greg Kruschke. (Refer to report on file.) A motion was made by Meier and seconded by Effertz to approve the FoamCraft TIF Compliance Resolution.

Kruschke presented the August building reports. Single Family dwelling units are down this year. Overall if you look at total valuation, we're up over \$30 Million. Westlake Meadows got permits for Buildings Four and Five and plan to open them all up next spring.

Kruschke said they're still waiting on the variance for Brycen Gregor. His lot has been officially surveyed and they are trying to come to a resolution on the parking. No matter what, City Council will act on it at their first meeting in October.

There being no further business to come before the Planning Commission at this time, a motion was made by Meier and seconded by Peake to adjourn the meeting at 5:58 pm. All Commissioners voting Aye, the motion carried.

Respectfully Submitted,

Greg Kruschke
Community Development Manager

**EDA
Minutes
August 23, 2023**

The Owatonna Economic Development Authority met in regular session at 4:00 PM in the second floor conference room at the City Administration Building with President Raney presiding. Commissioners present: Dan Boeke, Andrew Cowell, Kevin Raney and Doug Voss. Commissioners Brenda DeVinny, Corey Mensink, and Tom Peterson were absent. Also present were Troy Klecker, Bill Owens, Brad Meier, Lisa Cochran, Scott Kozelka, and Kristen Kopp.

Approval of Minutes. Commissioner Cowell moved approval of the minutes of the July 19, 2023 meeting with second by Commissioner Voss. All Commissioners voting Aye, the motion passed.

Treasurer's Report. Troy Klecker presented the revenue and expense reports for July. He said we're a little beyond the halfway mark. Up to this point, we haven't used consulting fees, but that will change soon. We owe the OACCT and OADBC second half payments. He said the grant funds got entered wrong, but that was just money in and out. Raney asked about the Travel and Training Budget and wondered if there was any more travel planned for this year. Klecker said that's hard to say. Kruschke said that some of that is an emergency cushion, if we have a project that breaks all of a sudden and we need to respond or if we need to run to the metro for a night. Klecker said at the time of budgeting, they don't typically know how much travel they'll be doing. It's not predictable.

Loan Report. Bill Owens presented the Loan Report for July. Owens said that loans are being paid as agreed. Klecker said Family First Insurance paid off their low doc loan so that they could take out a different low doc loan. That is not on here yet, and maybe we haven't gotten their first monthly payment yet. He said the Forgivable Loan Program has been very successful and we've got a lot of interest. Lisa has been getting information out about it. He said there is one forgivable loan request for the EDA to approve today: Torey's is renovating their meeting room and they want to put in windows. They are requesting \$10,000 and we will need formal action on that. They are getting close to filling out the full allocation. This may put it right at \$100,000. The EDA doesn't have to act on anything, but he wants to bring it up for discussion at the next meeting if they want to keep the ball rolling. There was some discussion on the loan amount. Raney asked if \$10,000 is still the sweet spot. Meier said it's still a motivator. Klecker said it's less about the amount. It's been way more successful than he thought it would be, and there's been another resurgence this year with Lisa out hitting the pavement, getting people excited about it. Voss asked where the downtown business district ends. Klecker said that the new golf simulator business is in the process of being rezoned to B-3, so they would qualify. Voss asked about the restaurant above The Blast. Klecker said they are working to get a permit. It's more mechanical drawings that they will need, but a permit has not been issued yet because of that mechanical piece. Once they have a permit, they can access their funds. The tenant has changed, but the owner is the same as when they applied for the loan. There was some discussion on whether the loans should have a deadline, as many loans from 2019 still have funds remaining. Raney said it would be tough to give them a deadline now. Klecker said once we've approved them and they've started working on it, it's tough to pull back. Cowell said that four years is a

really long time to be sitting on it. He said his preference is, before we advance the 2023 program, he'd rather see us go back to the older loans and advance the money we've already allocated. Klecker said he doesn't think there are many that we've awarded that haven't done work. Lisa said 301 North Cedar is one, as the applicant had a lot of extenuating family circumstances and hasn't been able to get it done yet. He still plans on it. Raney asked if they can get that updated for next month. Meier asked if the EDA is comfortable to keep piling project through even if we're past the maximum amount. He asked the EDA how they want to handle those. Raney said we're sitting good in our fund and he loves the results that we've had. He doesn't want to scare anyone away/ Klecker said we're positioned well—we're getting what we wanted out of this program. We want to see private investment. If we can leverage our money, the loans might change a little bit with interest rates going up, but we haven't had a ton of use of our loan program. Raney asked when we started this four years ago, what did we have in the pot? Klecker said \$950,000 to \$1 Million. We've had loan payments that have come in. Cowell said they could build a pipeline until they know exactly what we have left. Meier said it's reassuring to know everyone's positive about it. Klecker said that they can tell interested people that everything is allocated, there is a potential to do more, but they have to show a need. Raney said maybe we should have a high forgivable loan amount. Kruschke said if they look at increasing the amount, that will cause a lot of consternation with those who had loans. He said since it's been four years since the program started, we have to be solid with our policy because we could have businesses coming back around. Klecker said when we started this four years ago, we just wanted people to use it. Cowell said that he likes that it creates a sense of urgency with \$100,000 a year. Kruschke said it would be good to do a review of the program before approving the 2024 program. Raney said he really appreciates Lisa communicating this program to downtown businesses.

Steele County Free Fair Update. Raney introduced Scott Kozelka, Steele County Free Fair Manager, to give an update on the fair and how it impacts economic development. Raney said this is arguably the biggest event of the year and is an economic driver for the City and the region. Kozelka thanked the Board. He said the fair was amazing and there was a lot more talk about people coming from other areas to come to our fair. Just an estimate, it's brought in about \$5.5 Million and – and with 3,500 overnight travelers in Steele County, it puts them some place north of \$10 Million coming in during fair week. He said it's pretty cool being a part of the organization that does this. The fairgrounds have had over 35 events this summer including three cutting horse events, to Fourth of July, to animal shows, to Relay for Life and Smokin' in Steele. September is full every weekend with weddings. Dollars are being spent. Since fiscal year 2018, the fair has put in \$1.5 Million into the fairgrounds. They had 10 Boy Scouts cleaning up after the fair as a fundraiser this morning. Just about 40 nonprofit organizations profit from doing something at the fair. Everyone jumps on board. He said he always talks about what a great community we have. He had new sponsors this year who want to come back next year. His job is bringing smiles. He had a special needs kid that came to see Hairball for the first time and went out of his way to find and thank him. They have great volunteers and a great community. From wrestling to hockey to baseball to volleyball, they were raising money for their organizations. With Papa Jake here, they got media coverage from the Cities. There were over 120 attractions you could see for free, and fifty-some bands for free. It's fun and with Papa Jake, he got a call right after Minnesota Live. He's already booking acts for next year. There are less acts now, after Covid. Raney said they knew the fair was important, but when the branding surveys came back,

they noticed it. Our fair is safe and clean. The fair employees were so polite and courteous. Kozelka asked them to thank those who host the fair. Kozelka said that an electrical project at \$1.7 Million has been approved. There are some transformers that are 50-60 weeks out. There was one that went down during the fair and the Four Seasons was out of power for four hours on Saturday. Raney said this is a huge economic driver for our community. Klecker said Steele Saloon is going to get a new building. Kozelka said it will be enclosed and have a heated floor and all updated bathrooms. Raney said it's also raising the bar for other venues in town. The community is amazing in wanting to pitch in.

OACCT / OPED Report. Chamber Director Brad Meier presented the OACCT Report for July. Meier said they're at a really good spot as far as workforce goes, and at a really good spot for helping our students transition. They've geared up with the school on Made in Owatonna Days and have a Workforce Coordinator in place. Communitywide branding should be complete in September. Riverfront had groundbreaking a week ago, which is exciting. OPED did a survey to the Council, EDA, OPU, School District, etc. Next meeting he'll have some results back. We're still waiting on Motel 6. Kruschke said that they've sent out eight proposals, and six are still floating around 8-10 million to 700 M+. There are some large ones sitting out there. Tying to figure out supply chains. Transformers are one of the big things. One of the things we've been working on with OPU and SMPPA is how large of a project we can handle. There have been a couple that have come across that use five times the electricity of the City. How can we participate in that? What's our cap? Meier said that Kruschke does a good job of leading those discussions with these big projects.

MainStreet Director Cochran said the Forgivable Loans is the biggest thing she's working on. The last Downtown Thursday is in September. It's turning out to be a really big month. We have some new vendors coming. She's been helping Glenda with the Governor's Pheasant Home Opener and she's starting to work on the lighted holiday parade.

OABDC Report. Bill Owens presented the OABDC Report for July. He said the July numbers were good and he had 17 hours consulting. Not a whole lot of manufacturing, some service and retail. They are in the process of interviewing for his position on Monday. Klecker said that Bill is looking to retire the end of October. The Board decided to move ahead with advertising for a full-time position for that role. Raney asked if the Board does those interviews. Klecker said it will be two or three board members and Bill. Voss asked where the job opening was posted. Klecker said Indeed. Bill said the fact that people are interested in it speaks a lot for what's going on in this town.

EDA Projects. Community Development Director Troy Klecker presented the EDA Projects for July. Cemstone is plugging away. They want to start making cement after Labor Day. Oscar is getting a plan solidified for the Bubba's building. He has a game plan in which he will start the project late fall and be done in late spring. He's still having issues with architects getting drawings. He's making some more permanent changes toward this. They'll be revising the development agreement to accommodate this new game plan. That's in progress and we'll be working on the new agreement. Roma's opened about an hour ago and can officially come off the list. They should have information by the end of the week to have a purchase agreement in place for 117 Bridge Street West. Klecker said he has talked to Al Martin about 148 Bridge

Street West. He's interested and putting numbers together. 202 Bridge Street West still has some space. CDI is coming along well, and Kamp Automation is moving along. The Riverfront project is well underway. Scooter's Coffee is looking like it will happen next spring. The tower company is like working with the railroad. You can occasionally get ahold of someone, but usually not the right person. The plan is to move ahead with the project either way. The City is in the process of getting the asbestos removed at 126 Fremont Street East and the Fire Department wants to do a burn there. Foamcraft is looking at a 15,000 square foot addition to their building and adding 10 employees. This is about as small a project as it makes sense to do.

Old Business. Klecker gave an update on 151 West Bridge Street. He got the Phase 1 environmental back. It's kind of vague. We will probably want to do a little more investigation on that. He needs some clarification. Nothing really scared him on it. It's probably more feasible for us to handle it as we have access to grant dollars. We get involved when something else isn't going to happen. We have access to grants and other funding sources to make this happen. We want the turnover to happen. Kruschke said this one does cashflow and they have steady income. Klecker said if it goes to the market, it will stay that way for a long time.

New Business. Klecker said they have a forgivable loan for Torey's. It's the street level window for that meeting room on the north side. A motion was made by Commissioner Cowell and seconded by Commissioner Boeke to approve the forgivable loan for Torey's. All Commissioners voting Aye, the motion passed.

Schedule Next Meeting. The next EDA meeting is scheduled for **September 20, 2023** at 4:00 PM in the 2nd Floor Conference Room at City Hall.

Adjournment. There being no further business, a motion was made by Commissioner Boeke and seconded by Commissioner Cowell to adjourn the meeting at 5:12 pm. All Commissioners voting Aye, the motion passed.

MINUTES
OWATONNA HOUSING AND REDEVELOPMENT AUTHORITY
REGULAR MEETING on AUGUST 28, 2023

The regular meeting of the Owatonna Housing and Redevelopment Authority was called to order at 4:08 p.m. in the 2nd Floor Conference Room by Chairperson Olivo.

Members present were John Hole, Vicki Olivo, and Nathan Dotson. Also present were Housing Manager Ghassan Madkour and Administrative Technician Kristen Kopp.

Housing Trust Fund Update: Karina Schmitz said that after 15-18 months of working on it, everything is approved and moving forward. The public hearing happened in June. MN Prairie will be operating three trust funds for Steele, Dodge, and Waseca Counties. 10% will go into a separate pool for hotel vouchers as there aren't a ton of shelter options. 90% will be in the local housing trust fund for Steele County. It's all getting situated this month. They're putting the advisory council together. Troy will sit on that board. It will go based on the need of the area and affordable housing is a priority. They had spoke about earmarking \$50,000 for that. That will be in place for the next five years for sure. We can see where we want to go at about three years into it. They're able to get other agencies to put money into it. Klecker asked how much money the state put in. Schmitz said Steele County has about \$190,000 allocated annually. Madkour asked about the 10%. Schmitz said that will come off the \$190,000. Klecker asked about the hotel vouchers and if there was a time limit. Schmitz said she's working on the rate with motels. It's the same places being used by Semcac and Salvation Army. Schmitz said that it will depend on the time of year, but at least one night so they can meet with them again the next day to take care of things. Olivo asked if this was for transients or Steele County residents. Schmitz said Steele County as much as possible. They will also be able to pay for some moving costs as well.

Approval of the Minutes: Chairperson Olivo called for a motion to approve the minutes of the July 24, 2023 meeting. A motion was made by Hole and seconded by Dotson to approve the minutes. All Commissioners voting Aye, the motion carried.

Executive Director's Report: Troy Klecker gave an update on housing projects. He said Cedar and 26th Street NE is still moving along slowly. Westlake Meadows is moving right along. One building is in the finishing stages. The other building is being framed up. The Riverfront Project, a high-end rental, just got started and won't be finished until this time next year. Mineral Springs Estates is approved and signed. They want to start construction on a number of those units this fall. Eastgate Phase 2 application is in and we won't hear until December whether that was awarded tax credits. They're working with a developer on the Modern Aire Apartments on a potential redevelopment. They're rolling in some affordable units since what was there was affordable. It will likely use TIF and will be a mix of rates.

Old Business: The Housing Choice Voucher program monthly report was presented by Madkour, including the City of Owatonna monthly balance sheet and revenue/expense report. Program utilization: The Housing Voucher program for July totaled 94. Total year to date assistance and administration costs were \$482,937.04 and revenues were \$509,242.39. The Housing Choice Voucher Program fund balance at July month end is \$139,245.74. The HRA Revenues year to date total is \$342,337.62 and the expenses total \$331,380.33. The HRA General Fund balance is \$607,278.07.

Madkour said he has three HCV and four Bridges clients starting in September. Mainstream seems to be at a halt. They're at 30 out of 40 vouchers. He said he's overspending on the new Bridges grant. He doesn't want to go over budget on the grant. There is a lot of activity. It's regular nonstop activity for people on board. There are 13 still shopping for Bridges. A bunch of applicants have been approved. He's still waiting for more paperwork. HCV there are seven or eight out shopping. Sydnee is on medical family leave and will be back sometime in September. She will be picking up a couple of programs. Olivo asked about the expired vouchers. Madkour said they have 60 days up front and issue the voucher. They get a contact list to record every contact they've reached out to. The applicant has to record why it's a no. It's

still legal to say no to Section 8. He has a few landlords over in the last year or so. They can get a 30-day extension. He wants to make sure they're out there pounding the pavement. If someone is porting in, the other agency will give them 60 days, and he has to automatically give them 30 days. He said the clientele needs that extra person as a lot of them have mental health issues. The case workers are overworked. There is a delay if there is no one to assist the applicant.

A motion was made by Dotson and seconded by Hole to approve the reports as presented. All Commissioners voting Aye, the motion carried.

New Business: Madkour said the new NSPIRE will start October 1, but he won't have training until mid-October. In January, HUD is coming out with new rules. There is a HOTMA program that he will be getting his nose into. The board will have to vote on these changes.

Klecker said there are two openings on the board. They would need to apply online.

Other: Madkour said he emailed everyone three options they discussed. The repair maintenance allowance was the latest. He said basically, if someone wants to rent somewhere, they have an allowance to pay for, say, garbage. It comes off the top of their rent. Rice County does the same thing. They had a repair maintenance allowance to utilities. Whatever their payment standard is, they do 3% of the payment standard. They're always getting it, if they want to save it, that's up to them. Klecker said it's tacking 3% onto what they're getting. Olivo said for a larger family or unit, it would go up. Madkour said yes. Olivo asked how long Rice County has had this. Madkour said they've been doing it a while. They're leaders in the state for homeownership. Olivo asked if HUD has a similar program. Madkour said this is it – it's part of HUD. Klecker said it's allocating an extra 3% of HUD dollars. The balancing act is the amount of time and energy put into it verses the accountability. You're leaving it up to them how they choose to allocate those dollars. It's more true homeownership when you let them be in charge. The whole point of the program is to make them be in charge of maintaining their house. Olivo asked if that would be ongoing. Klecker said yes. Madkour said that, if their regular portion is \$100, they would only pay \$97. They have to be disciplined to put that away. They have to do their part to save that. Olivo said it will take a lot of education up front. Madkour said Rice County hasn't had issues with it. Hole asked if it was more work for Madkour. Madkour said the first two options are more work for him. Hole said option three makes a lot of sense. Olivo asked if they can tweak it once it's in place. Madkour said yes, as long as there's enough notice. Hole said it's nice to encourage them to be responsible. He said he likes the idea of going through that every year. Madkour said he can do that with their annual reexams. A motion was made by Dotson and seconded by Hole to approve Option Three (Home Maintenance Allowance) as presented. All Commissioners voting Aye, the motion carried.

Klecker said he wanted to note that the redevelopment project with Modern Aire, there is a grant we might be pursuing and he might solicit a consultant to work on that grant. That would be something HRA would pay for and get the dollars back through TIF. The Board said they were okay with that. Klecker said those are affordable units now, because of the condition they're in, and he's working with the developer in getting some affordable units in it. If we don't get involved, they're going to have to stick some money into it and the rents are going to go up anyway.

Adjournment: There being no further business, a motion to adjourn was made by Hole and seconded by Dotson. All Commissioners voting Aye, the motion carried. The meeting adjourned at 4:50 pm.

Respectfully Submitted,
Ghassan Madkour
Housing Manager

Owatonna Human Rights Commission Minutes

The Owatonna Human Rights Commission (OHRC) met on Tuesday, August 8, 2023, in the Second Floor Conference Room at City Hall. Chairman Cords called the meeting to order at 5:32 p.m. Commissioner Vanoosbree took roll call with Commissioners Cords, Gunderson, Emanuelson, Esquivel, Ismael and Vanoosbree; City Administrator Busse, and Administrative Specialist Clawson present. Commissioner Leon was unable to attend.

Following the Pledge of Allegiance, Commissioner Cords welcomed everyone to the meeting and advised Rainbow Owatonna would be added to the agenda. Commissioner Vanoosbree made a motion to approve the agenda with this additional item. Commissioner Emanuelson seconded the motion, all members present voted aye for approval.

After reviewing the Minutes of the OHRC Meeting held on July 11, 2023, Commissioner Cords made a motion for approval as presented; Commissioner Ismael seconded the motion; all members present voted aye in approval.

COMMISSIONER COMMENTS

Commissioner Vanoosbree commented she was disappointed with recent comments made by Tom Kuntz towards LGBTQ+ community members and contacted the state to inquire what training opportunities are available. She wants to recommend Outreach MN be contacted for training opportunities for Mayor, City Council and all City employees. AGE is also currently exploring opportunities to offer within the community. City Administrator Busse commented the City has contacted the League of Minnesota Cities regarding this.

ITEMS OF DISCUSSION

Rainbow Owatonna

Introductions were made of Jenn Hansen, Secretary/Treasurer of RainbowOwatonna and Brianna Hansen, Vice Chair of RainbowOwatonna. Their group began just a few years ago, currently has 18 members and they hope to grow. The biggest part of their organization's mission is to educate. They want to be involved within the Owatonna Community and recently hosted the 2023 Pride in the Park Event. Commissioner Vanoosbree commented she attended the Pride in Park Event and really enjoyed it. Jenn Hansen commented Tom Kuntz's comments prior to this event brought to light some concerns and we hope everyone will learn from this incident so we can all help build a better tomorrow. The Mn Department of Justice is currently looking into the matter and expect there will be some mediation planned. She and Nathan Black, Chairman of RainbowOwatonna recently met with City Administrator Busse and Communications Manager Sheely which she thought was a productive meeting. Commissioner Emanuelson commented he hopes members of their group will participate in the Human Library during the 2023 Welcome Week. City Administrator Busse thanked them for attending and commented there is a lot of fear of unknowns.

2023 Welcome Week

Commissioner Emanuelson presented draft of an editorial comment which he will send out later this month. He continues to reach out to prospective members of the Human Library planned for September 14th in the Gainey Room at the Library from 4-7 pm.

Events currently planned for 2023 Welcome Week include:

- 1) Downtown Thursday – basic paper handout, will have a large world map for attendees to leave a pushpin to show where there are from. Plan to be part of the City's booth near the fountain from be 4:30 – 7:00 pm. Commissioners Gunderson and Cords plan to participate and others also encouraged to do so.

Commissioner Vanoosbree commented posters should be prepared in various languages promoting all events planned. Commissioner Gunderson made a motion to allocate expenditure up to \$300 for Welcome Week publication. Commissioner Vanoosbree seconded the motion, all members present

voted aye in approval.

- 2) Soccer Games – Pick-up games will be offered at the soccer fields by Grace Baptist Church. Games will begin at 1:00 pm and end at 3:00 pm. Commissioner Gunderson commented equipment is available at the church and he will follow-up with the City to mark the fields.
- 3) Human Library – September 14th in the Gainey Room at the Library from 4-7 pm. Commissioner Emanuelson is organizing and information will be sent when available.
- 4) Pickleball – September 16th at the Sid Kinyon Tennis Courts from 1:00 – 4:00 pm. The Owatonna Pickleball Association is organizing this event which will welcome all ages with introduction to this sport. The City will line this court for only pickleball during this event.
- 5) Promoting Peace – Poverty and Public Safety at Trinity Lutheran Church on September 21st from 9:00 am to 3:30 pm. Judge Karen Duncan and her team are hosting this event to give participants an opportunity to walk in the shoes of local people striving to survive in poverty. Those attending will learn and strategize to improve access to justice and housing. A free lunch will be provided and registrations due by September 15th.

Silvan Durbin, Artistic Director at the Owatonna Art Center advised he hasn't heard back from the artist planned to exhibit during September and currently looking for a program to offer next month which could be connected to Welcome Week. Commissioner Vanoosbree commented publicity deadline is just a few days away and recommend publications be prepared with information currently available. Commissioners Cords and Gunderson will contact KTTC, they were interviewed last year and hope to again this year. Commissioner Gunderson will contact KOWS for spot on Talk of the Town.

2024 MLK Jr. Day Event

A brief general discussion on the 2024 Martin Luther King Jr Day Event and commissioners were asked to contact potential speakers for discussion during the September OHRC Meeting. Items to discuss will include speaker, date, place and time for this event. City Administrator Busse commented she received message from Riverland Community College that their campus is closed that Monday for the holiday. Commissioner Vanoosbree offered to contact the Owatonna Middle School to ask if their facility would be available. Commissioner Cords will contact Jose to hold the event at the Plaza Morena Campestre Grill.

PUBLIC COMMENTS

None heard.

ADJOURNMENT

At 6:42 p.m., Commissioner Gunderson made a motion to adjourn, Commissioner Vanoosbree seconded the motion, and the meeting was adjourned. The next meeting will be held on Tuesday, September 12, 2023, at 5:30 p.m.

Respectfully submitted,

Jeanette Clawson, Administrative Specialist



Department Reports

COMPARISON REPORT OF BUILDING DONE IN CITY OF OWATONNA IN YEARS 2022 AND 2023																Ken Beck, Building Official	
	DWELLINGS		ACCESSORY		COMMERCIAL		INDUSTRIAL		ADD. & ALT.		DUPLEX/APTS		DEMO	TOTAL			
Month	NO.	VALUE	NO.	VALUE	NO.	VALUE	NO.	VALUE	NO.	VALUE	NO.	VALUE	NO.	NO.	VALUE		
Jan '22	0	0	4	7,640	14	104,970	11	3,775,051	68	419,719	0	0	0	97	4,307,380		
Jan '23	0	0	5	16,600	8	443,880	7	5,117,850	66	494,614	0	0	0	86	6,072,944		
Feb '22	0	0	12	22,742	24	1,753,403	16	4,817,476	139	855,061	0	0	0	191	7,448,682		
Feb '23	0	0	8	24,850	22	1,113,838.30	11	25,861,730.75	136	834,982.70	0	0	0	177	27,835,401.75		
Mar '22	5	1,901,925	33	67,493	35	2,161,547	26	5,560,379	284	1,747,846	0	0	1	384	11,439,190		
Mar '23	1	200,000	17	44,100	42	2,497,648	20	26,251,710	243	\$ 7,323,261.26	0	0	0	323	\$ 36,316,719.26		
Apr '22	5	1,901,925	51	96,566	58	2,827,402	30	5,592,069	411	2,785,871	0	0.00	0.00	555	13,203,833		
Apr '23	4	1,968,586	26	96,900	74	31,047,283	**see below		329	8,699,343.89	0	0	1	434	41,812,112.89		
May '22	6	2,141,925	62	112,316	75	5,328,038	36	6,191,103	585	4,336,520	0	0	0	764	18,162,974		
May '23	4	1,968,586	37	132,400	94	36,206,219.51	**see below		463	11,204,959.76			1	599	49,512,165.27		
Jun '22	8	3,061,925	76	155,666	107	6,779,903	40	7,384,127	738	6,392,230	0	0	3	970	23,826,923		
Jun '23	4	1,968,586	52	189,068.67	113	45,164,773.51	**see below		594	12,314,075.39	0	0	8	771	59,636,503.57		
Jul '22	10	3,631,925	94	282,866	130	8,869,882	48	8,653,897	870	7,489,327	2	10,500,000	3	1,155	39,427,897		
Jul '23	5	2,168,586	69	242,168.67	132	46,905,945.51			714	13,185,484.99	2	400,000	8	930	62,902,185.17		
Aug '22	11	4,031,925	101	303,866	160	10,139,786	56	8,902,182	986	8,302,718	3	17,000,000	3	1,320	48,680,477		
Aug '23	6	2,568,586	75	257,168.67	164	63,045,367.26			847	14,208,880.97	2	400,000	9	1,103	80,480,004		
Sep '22	12	4,531,000	126	332,386	184	11,910,289	67	19,440,272	1,104	10,577,868	4	24,500,000	3	1,499	71,291,815		
Sep '23																	
Oct '22	16	6,306,000	142	368,736	197	13,206,075	72	19,560,069	1,223	11,308,018	4	24,500,000	3	1,657	75,248,898		
Oct '23																	
Nov '22	16	6,306,000	152	380,936	209	17,318,397	79	19,922,914	1,320	13,572,135	4	24,500,000	3	1,783	82,000,382		
Nov '23																	
Dec '22	16	6,306,000	164	405,736	211	17,445,397	87	20,108,379	1,398	14,120,570	4	24,500,000	3	1,883	82,886,082		
Dec '23																	

**Starting April 2023, Commerical and Industrial are combined

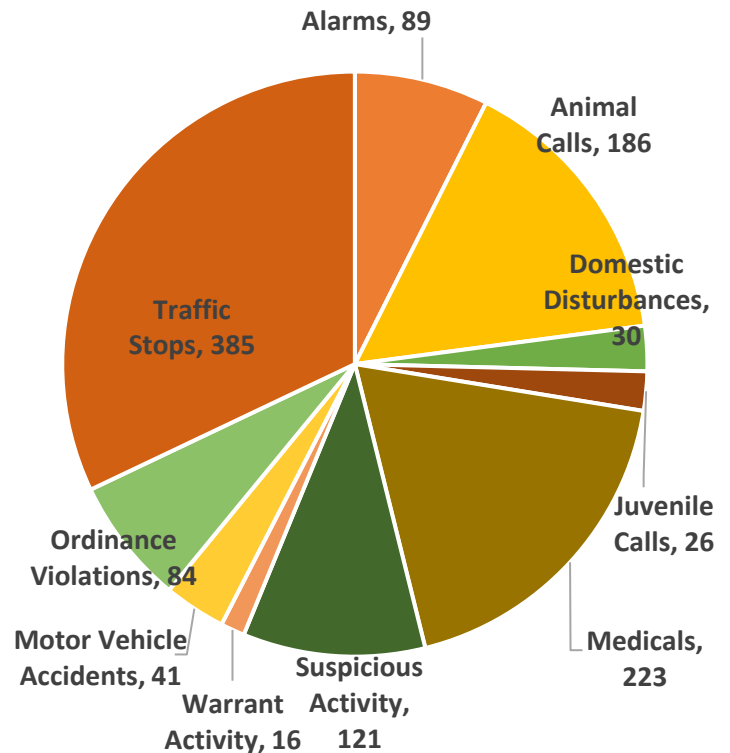
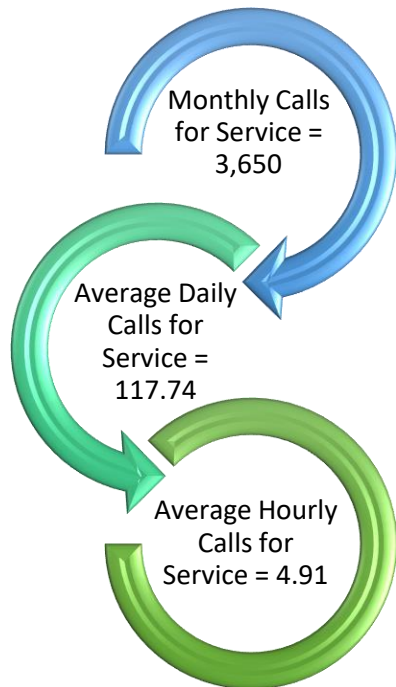
Owatonna Building Inspection Department Comparison Report- Construction to Date 2022/2023

Construction Report for Permits Issued through August, 2023

TYPE OF WORK	2022 PERMITS ISSUED	PERMITS ISSUED FOR CONSTRUCTION COST	Units	2023 PERMITS ISSUED	PERMITS ISSUED FOR CONSTRUCTION COST	Units
NEW DWELLINGS	11	4,031,925	0	6	2,568,586	0
ACCESSORY BUILDINGS (INCLUDES GARAGES, UTIL. BLDGS, SW. POOLS, ETC.)	101	303,866		75	257,168.67	
COMMERCIAL AND INDUSTRIAL PR	216	19,041,968		164	63,045,368.26	
RESIDENTIAL ADD. & ALT.	986	8,302,718		847	14,208,880.97	
DUPLEXES & APTS. (INCLUDES ATTACHED SF)	3	17,000,000	0	2	400,000	0
DEMOLITION PERMITS	3			9	0	
TOTAL PERMITS ISSUED	1,320	48,680,477	0	1,103	80,480,004	0

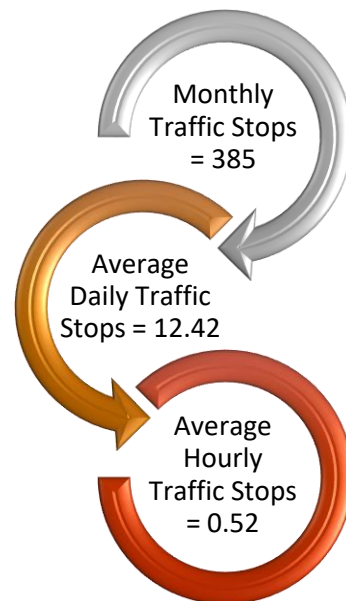
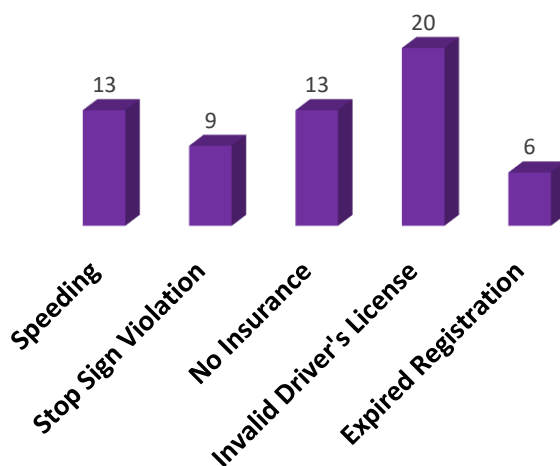
OWATONNA POLICE DEPARTMENT

August 2023



In the month of August 2023, the Owatonna Police Department answered 3,650 calls for service, including 385 traffic stops, 89 alarms, 30 domestic disturbances, 186 animal calls, 267 juvenile calls, 223 medical calls, 121 suspicious activity calls, 16 warrants, 84 ordinance violations, and 41 motor vehicle accidents.

Top 5 Citation Types



The Owatonna Police Department issued a total of 101 citations and 270 warnings in August. The top 5 citation types include speeding, stop sign violations, no insurance, invalid driver's license, and expired registration.

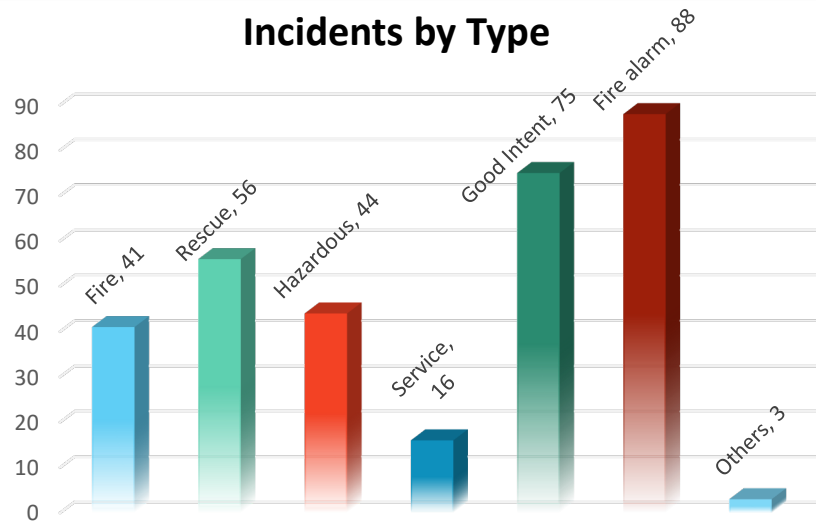
2023 OWATONNA FIRE DEPARTMENT MONTHLY ACTIVITY REPORT

INSPECTION SERVICES	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2023	2022
Fire code inspections	134	153	201	112	189	75	175	268					1307	1988
Fire alarm inspections	2	1	1	1	1	0	2	2					10	20
Sprinkler system inspections	0	1	2	1	4	7	4	2					21	49
Nuisance inspections	3	3	6	12	106	78	63	39					310	382
Weed inspections	0	0	0	0	70	110	62	75					317	550
Sprinkler system permits issued	2	2	2	1	3	1	2	1					14	21
Fire alarm system permits issued	2	0	1	1	1	1	2	2					10	15
Hood/Suppression system permits issued	0	2	0	1	0	1	1	1					6	5
Plan reviews	4	7	7	6	9	12	10	9					64	65
Code reviews	6	1	8	6	2	2	2	1					28	38
# Knox boxes checked	1	0	0	2	1	1	0	1					6	14
PUBLIC EDUCATION SERVICES	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2023	2022
# people given tours	0	30	4	0	8	0	13	0					55	307
# people given extinguisher demos	0	0	0	0	0	70	0	31					101	100
# people at truck visits	0	0	0	200	340	0	0	0					540	738
# people fire safety information	0	72	0	0	0	241	0	60					373	1753
# people juvenile firesetters	0	0	0	0	0	0	0	2					2	0
EMERGENCY RESPONSE SERVICES	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2023	2022
Incidents														
City incidents	31	23	22	39	38	43	37	37					270	482
Rural incidents	5	3	5	9	10	8	7	5					52	105
Mutual aid given	0	0	0	0	0	0	0	1					1	6
Monthly Totals	36	26	27	48	48	51	44	43					323	593
Type of Incidents														
Fire	4	7	2	5	8	4	6	5					41	67
Rescue calls	5	4	3	10	9	10	9	6					56	119
Hazardous conditions	3	7	2	7	4	4	10	7					44	77
Service calls	1	0	2	2	3	3	3	2					16	31
Good intent calls	14	3	12	10	8	12	6	10					75	113
Fire alarms	8	5	6	14	15	18	10	12					88	179
Others	1	0	0	0	1	0	0	1					3	7
Monthly Totals	36	26	27	48	48	51	44	43					323	593
Total training hours	146.00	273.29	338.35	491.00	501.25	741.08	338.57	368.24					3198	3406
SAFETY SERVICES	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2023	2022
# injury reports	1	1	0	0	1	0	0	0					3	3
# lost work hours	0	0	0	0	0	0	0	0					0	0
# fire extinguishers serviced	201	34	0	35	12	0	0	0					282	254
1st aid supplies checked	0	0	0	1	0	0	0	0					1	5
Full-time shift hours worked	1724.25	1584.00	1743.50	1658.50	1736.00	1584.75	1764.50	1666.50					13462.00	18709.75
Full-time overtime hours worked	129.49	159.80	116.81	237.91	96.61	253.91	88.97	155.80					1239.30	1969.09
Part-time hours worked	268.02	187.00	315.75	471.50	494.00	478.00	372.00	406.00					2992.27	4535.00
Monthly Hours Worked Total	2121.76	1930.80	2176.06	2367.91	2326.61	2316.66	2225.47	2228.30					17693.57	25213.84

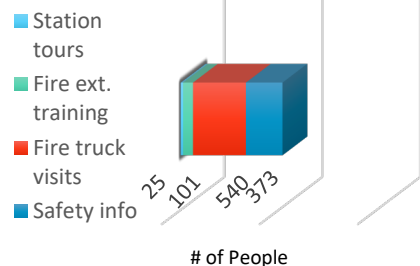
OWATONNA FIRE DEPARTMENT DASHBOARD

2023 STATISTICS

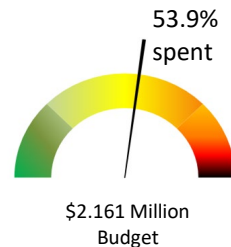
Incidents by Type



Public Education

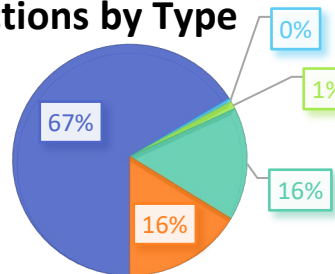


Expenditures



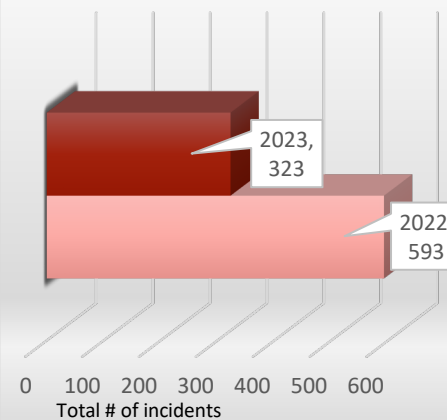
Inspections by Type

- Fire code
- Fire alarm system
- Sprinkler system
- Nuisance complaints
- Weed complaints

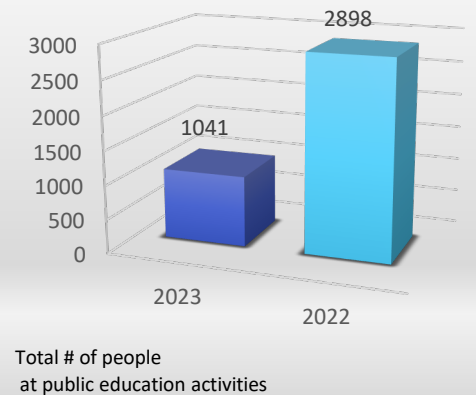


2023 VS 2022 STATISTICS

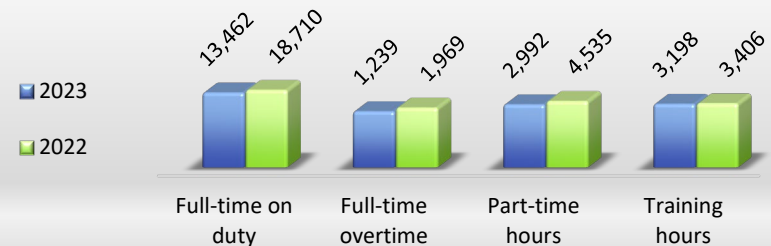
Incidents



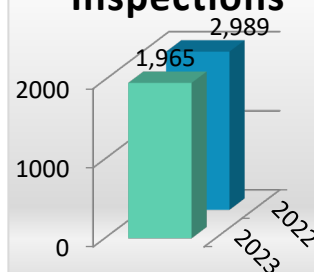
Public Education



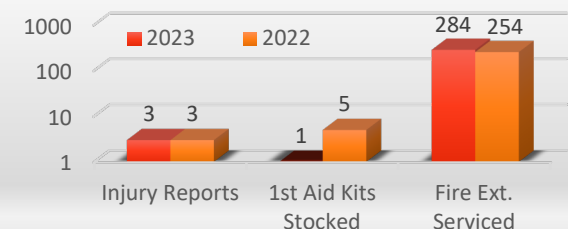
Staff Hours



Inspections



Safety Services



Weed/Nuisance Complaint Inspections						OWATONNA FIRE DEPARTMENT	
August 31, 2023 to September 12, 2023							
Address	Complaint Description	Inspection Date	Violation Notice Sent	Correction Due Date	Violation Corrected Date	Comments	Staff Hours
Evergreen Place Northeast	The vacant lots have been cut as of 9/5/23. RJS	9/5/2023			9/5/2023	Have been cut.	0.5
Lemond Road	Vacant lots 17-566-0101 and 17-566-0102 with long grass and weeds as of 9/7/23. See attached pictures 8192 and 8193 of the complaint vacant lots as of 9/7/23. RJS No change in the vacant lots status as of 9/8/23, 9/11/23, 9/12/23. RJS	9/7/2023	9/11/2023	9/25/2023			0.5
Lemond/Riverwood Road	Vacant lots with long grass and weeds. 17-566-0215 to 0227 See attached pictures 8195 and 8196 of the complaint vacant lots as of 9/7/23. RJS No change in the vacant lots status as of 9/8/23, 9/11/23, 9/12/23. RJS	9/7/2023	9/11/2023	9/25/2023			0.5
Meadowview Lane Northeast	Vacant lots 17-574-0722, 0723, 0724, 0725, with long grass and weeds as of 9/7/23. RJS See attached pictures 8189, 8188, 8190, 8191 of the complaint vacant lots as of 9/7/23. RJS No change with the complaint location status as of 9/8/23, 9/11/23, 9/12/23. RJS	9/7/2023	9/11/2023	9/25/2023			0.5
Meadowview Lane Northeast	Vacant lots 17-574-0727 (picture 8187) and 17-574-0726 (picture 8186) with long grass and weeds as of 9/7/23. RJS No change in the vacant lots status as of 9/8/23, 9/11/23, 9/12/23. RJS	9/7/2023	9/11/2023	9/25/2023			0.5
Mineral Springs Parkway Northeast	The vacant lot with long grass and weeds has been mowed as of 9/6/23. RJS	9/6/2023			9/6/2023	Has been cut.	0.5
Mossy Creek Drive Northeast	The vacant lot with long grass and weeds has been mowed as of 9/7/23. RJS	9/7/2023			9/7/2023	Has been cut.	0.5
Riverwood Drive Southwest	Vacant lots with long grass and weeds. 17-566-0202 to 0205 See attached picture 8194 of the complaint vacant lots as of 9/7/23. RJS No change in the vacant lots status as of 9/8/23, 9/11/23, 9/12/23. RJS	9/7/2023	9/11/2023	9/25/2023			0.5
Wildflower Drive Northeast	The two vacant lots with long grass and weeds have been mowed as of 9/6/23. RJS	9/6/2023			9/6/2023	Have been cut.	0.5
1027 Elm Avenue South	The complaint location has moved items around to meet violation notice dated 8/23/23 as of 9/8/23. See reinspection pictures 8200, 8201 of the complaint location as of 9/8/23. RJS	9/8/2023			9/8/2023		0.5
1122 Oak Avenue South	Long grass/weeds in front, back, sides, and around house.	9/11/2023	9/13/2023	9/23/2023			0.5
147 Front Street East	Complaint: The weeds have grown up on this empty lot. Some of them are several feet high. See attached picture 8202 of the complaint business lot (17-104-0209) as of 9/11/23. RJS No change to the complaint location status as of 9/12/23. RJS	9/11/2023	9/13/2023	9/23/2023			0.5
1860 Bigelow Avenue	Complaint: Tall grass/weeds. See attached pictures 8176, 8177 of the complaint location as of 9/6/23. RJS No change to the complaint location status as of 9/7/23, 9/8/23, 9/11/23, 9/12/23. RJS	9/6/2023	9/8/2023	9/18/2023			0.5

Weed/Nuisance Complaint Inspections						OWATONNA FIRE DEPARTMENT	
August 31, 2023 to September 12, 2023							
Address	Complaint Description	Inspection Date	Violation Notice Sent	Correction Due Date	Violation Corrected Date	Comments	Staff Hours
1921 Bigelow Avenue	Complaint: Tall grass.	9/6/2023			9/6/2023	Has been cut.	0.5
204 Fremont Street East	The complaint location has mowed the yards of long grass and weeds as of 9/6/23. RJS	9/6/2023			9/6/2023	Has been cut.	0.5
211 Front Street East	Complaint: The back yard has very tall weeds and a ton of garbage. There is a couch and a ton of other furniture that has piled up in the back yard. Complainant's pictures have been uploaded. See attached pictures 8208, 8209, 8210 of the complaint location as of 9/12/23. RJS	9/12/2023	9/13/2023	9/27/2023			0.5
218 Rose Street East	Reinspection pictures 8150, 8151 of the complaint location were retaken on 8/31/23. No change in complaint location status as of 8/31/23. RJS Need to sent another violation notice of this complaint location. RJS 8/30/23 - spoke with owner. He plans on bringing a dump trailer to the property to clean it up but needs extra time. Gave him until 9/15/23. 9609 No dump trailer in place as of 9/11/23, 9/12/23. RJS No change with the complaint location status as of 9/5/23, 9/6/23, 9/7/23, 9/8/23, 9/11/23, 9/12/23. RJS	8/31/2023	8/17/2023	9/15/2023			0.5
2215 Condor Place	Reinspection pictures 8211, 8212 of the complaint location as of 9/12/23. No change in the reinspection complaint as of 9/12/23 - need to send another violation notice. RJS Second violation notice sent 9/13/23.	9/12/2023	9/13/2023	9/27/2023			0.5
231 Pearl Street East	2 mattresses, small TV, support walker on front blvd. See attached picture 8149 of the complaint location as of 8/31/23. RJS The complaint location complaint items have been removed as of 9/1/23. RJS	8/31/2023			9/1/2023	Have been removed.	1
236 Rose Street East	The complaint location with tall grass and weeds has been mowed as of 9/11/23. RJS	9/11/2023			9/11/2023	Has been cut.	0.5
253 Beech Avenue	Long grass/weeds in front, back, sides, and around house. See attached pictures 8152, 8153 of the complaint location as of 8/31/23. RJS No change to the complaint location status as of 9/5/23, 9/6/23, 9/7/23, 9/8/23, 9/11/23, 9/12/23. RJS	8/31/2023	9/5/2023	9/15/2023			0.5
303 Academy Street East	Brown reclining chair, two patio rocking chairs on blvd. See attached picture 8162 of the complaint items as of 8/31/23. The two patio rocking chair have been removed as of 9/1/23. No additional complaint location changes were made as of 9/5/23, 9/6/23, 9/7/23, 9/8/23. RJS	8/31/2023	9/5/2023	9/15/2023	9/11/2023	The complaint location with a brown reclining chair has been removed as of 9/11/23. RJS	1
3050 3 Avenue Northeast	Vacant lot with long grass and weeds. 17-574-0212 See attached picture 8184 of the complaint vacant lot as of 9/6/23. RJS No change in the vacant lot status as of 9/7/23, 9/8/23, 9/11/23, 9/12/23. RJS	9/6/2023	9/8/2023	9/22/2023			0.5

Weed/Nuisance Complaint Inspections						OWATONNA FIRE DEPARTMENT	
August 31, 2023 to September 12, 2023							
Address	Complaint Description	Inspection Date	Violation Notice Sent	Correction Due Date	Violation Corrected Date	Comments	Staff Hours
3079 Northridge Lane Northeast	Vacant lot with long grass and weeds. 17-574-0216. See attached picture 8185 of the complaint vacant lot as of 9/6/23. RJS No change in the vacant lot status as of 9/7/23, 9/8/23, 9/11/23, 9/12/23. RJS	9/6/2023	9/8/2023	9/22/2023			0.5
320 Stoneridge Lane Northeast	Vacant lot with long grass and weeds. 17-574-0508 See attached picture 8183 of the complaint vacant lot as of 9/6/23. RJS No change in the vacant lot status as of 9/7/23, 9/8/23, 9/11/23, 9/12/23. RJS	9/6/2023	9/8/2023	9/22/2023			0.5
338 State Avenue	Complaint: Retaining wall behind garage looks like it will collapse into the driveway at 346 State Avenue. See attached picture 8174 of the complaint location as of 9/5/23. RJS No change to the complaint location status as of 9/6/23, 9/7/23, 9/8/23, 9/11/23, 9/12/23. RJS	9/5/2023	9/6/2023	10/5/2023			0.5
345 Stoneridge Lane Northeast	Vacant lot with long grass and weeds. 17-574-0608. See attached picture 8181 of the complaint vacant lot as of 9/6/23. RJS No change to the complaint vacant lot status as of 9/7/23, 9/8/23, 9/11/23, 9/12/23. RJS	9/6/2023	9/8/2023	9/22/2023			0.5
350 Stoneridge Lane Northeast	Vacant lot with long grass and weeds. 17-574-0511. See attached picture 8182 of the complaint location vacant lot as of 9/6/23. RJS No change to the complaint vacant lot as of 9/7/23, 9/8/23, 9/11/23, 9/12/23. RJS	9/6/2023	9/8/2023	9/22/2023			0.5
395 Hickory Lane Northeast	Vacant lot with long grass and weeds. 17-574-0706 See attached picture 8179 of the complaint vacant lot as of 9/6/23. RJS No change to the complaint vacant lot status as of 9/7/23, 9/8/23, 9/11/23, 9/12/23. RJS	9/6/2023	9/8/2023	9/22/2023			0.5
396 Hickory Lane Northeast	Vacant lot with long grass and weeds. 17-574-0607. See attached picture 8180 of the complaint location as of 9/6/23. RJS No change in the vacant lot status as of 9/7/23, 9/8/23, 9/11/23, 9/12/23. RJS	9/6/2023	9/8/2023	9/22/2023			0.5
400 Crestview Lane Northeast	Long grass/weeds in front, back, sides, around house & on Rose St blvd. See attached pictures 8170, 8171 of the complaint location as of 9/5/23. RJS No change to the complaint location status as of 9/7/23, 9/8/23, 9/11/23, 9/12/23. RJS	9/5/2023	9/7/2023	9/21/2023			0.5
400 Pebble Beach Drive Northeast	Gray (with strips) two seat couch on Rose St Blvd. See attached pictures 8167, 8168 of the complaint location as of 9/5/23. RJS No change in the complaint location status as of 9/7/23, 9/8/23. RJS	9/5/2023	9/7/2023	9/17/2023	9/12/2023	The complaint location with couch, reclining chair, and single bed frame have been removed as of 9/12/23. RJS	1.5

Weed/Nuisance Complaint Inspections						OWATONNA FIRE DEPARTMENT	
August 31, 2023 to September 12, 2023							
Address	Complaint Description	Inspection Date	Violation Notice Sent	Correction Due Date	Violation Corrected Date	Comments	Staff Hours
404 Dartt Avenue	Reinspection pictures 8164, 8165 of the complaint location as of 9/5/23. Need to call the lawn service as of 9/5/23. RJS 9/6/23 - Contacted mower. 9609 Not mowed as of 9/6/23, 9/7/23. RJS	9/5/2023			9/8/2023	The complaint location with long grass in all yards and along Rose Street have been mowed as of 9/8/23. RJS	1.5
406 Elm Avenue South	Long grass/weeds in front, back, sides, and around house. The complaint location with long grass and weeds has been mowed as of 9/6/23. RJS	9/1/2023			9/6/2023	Has been mowed.	1
430 Cherry Street	Long grass/weeds in front, back, sides, and around house.	9/8/2023	9/13/2023	9/23/2023			0.5
434 Dartt Avenue	Long grass/weeds in front, back, sides, and around house. See attached picture 8175 of the complaint location as of 9/6/23. RJS No change to the complaint location status as of 9/7/23, 9/8/23, 9/11/23, 9/12/23. RJS	9/6/2023	9/8/2023	9/18/2023			0.5
445 Larch Avenue	The complaint location with long grass and weeds has been mowed as of 9/11/23. RJS	9/11/2023			9/11/2023	Has been mowed.	0.5
453 Mound Street	Long grass/weeds in front, back, sides, and around house.	9/11/2023	9/13/2023	9/23/2023			0.5
504 Academy Street	Long grass and weeds in all yards and on Lincoln Blvd. See attached pictures 5159, 8161 of the complaint location as of 8/31/23. RJS	8/31/2023	9/5/2023	9/15/2023	9/5/2023	The long grass and weeds at the complaint location has been mowed as of 9/5/23. RJS	1
557 Mineral Springs Road	Has been mowed.	8/31/2023			8/31/2023	Has been mowed.	0.5
681 Willowbrook Drive Northeast	The complaint location has cut the long grass and weeds in the backyard as of 8/31/23	8/31/2023			8/31/2023	Has been mowed.	0.5
704 Cherry Street	Brown reclining chair and box of misc items on Blvd. See attached pictures of the complaint location as of 9/5/23. RJS No change in the complaint location status as of 9/6/23, 9/7/23, 9/8/23, 9/11/23, 9/12/23 RJS	9/5/2023	9/7/2023	9/17/2023			0.5
714 Mineral Springs Road	Two living room reclining chairs on the front blvd. 9/12/23-one chair removed, one remaining.	9/11/2023	9/13/2023	9/23/2023			0.5
810 Lee Street Northeast	Two gray living room reclining chairs on front driveway. See attached picture 8178 of the complaint location as of 9/6/23. RJS The complaint location 2 living room reclining chairs on the driveway have been removed as of 9/7/23. RJS	9/6/2023			9/7/2023	Have been removed.	1
810 Minnesota Avenue	The complaint location tall grass and weeds on the south side of the garage area has been mowed/cut as of 9/11/23. RJS	9/11/2023			9/11/2023		0.5
811 School Street East	The complaint location with a living room chair has been removed as of 9/11/23. RJS	9/11/2023			9/11/2023		0.5
815 University Street East	The complaint location with long grass and weeds on the west side of the main parking lot of the church has been mowed as of 9/11/23. RJS	9/11/2023			9/11/2023		0.5

Weed/Nuisance Complaint Inspections				OWATONNA FIRE DEPARTMENT			
August 31, 2023 to September 12, 2023							
Address	Complaint Description	Inspection Date	Violation Notice Sent	Correction Due Date	Violation Corrected Date	Comments	Staff Hours
818 Grove Avenue South	The three complaint mattresses on the front blvd and play have been removed as of 9/5/23. RJS	9/5/2023			9/5/2023		0.5
916 Grove Avenue South	Long grass.	9/1/2023			9/1/2023	9/1/23 - Yard was mowed, closing complaint.	0.5



Licenses - Permits

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: mn pheasants inc

Previous Gambling Permit Number: x-74011-23-038

Minnesota Tax ID Number, if any: es29793

Federal Employer ID Number (FEIN), if any: _____

Mailing Address: p.o box 351

City: owatonna State: mn Zip: 55060 County: steele

Name of Chief Executive Officer (CEO): George c Sprague

CEO Daytime Phone: 507-456-9337

CEO Email: _____

(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): jp585b@live.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

☐ Fraternal

☐ Religious

☐ Veterans

☒ Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

**A current calendar year Certificate of Good Standing**

Don't have a copy? Obtain this certificate from:

MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103

Secretary of State website, phone numbers:

www.sos.state.mn.us

651-296-2803, or toll free 1-877-551-6767

**IRS income tax exemption (501(c)) letter in your organization's name**

Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

**IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**

If your organization falls under a parent organization, attach copies of both of the following:

1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Steele county fair grounds

Physical Address (do not use P.O. box): 1525 south cedar ave

Check one:



City: owatonna

Zip: mn

County: steele



Township: _____

Zip: _____

County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): 10-14-2023

Check each type of gambling activity that your organization will conduct:

☐ Bingo

☐ Paddlewheels

☐ Pull-Tabs

☐ Tipboards

☒ Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LG220 Application for Exempt Permit

11/17
Page 2 of 2

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

CITY APPROVAL for a gambling premises located within city limits

- ☒ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- ☐ The application is denied.

Print City Name: Owatonna

Signature of City Personnel:

Janet Clawsen

Title: Admin Coordinator Date: 9/1/2023

**The city or county must sign before
submitting application to the
Gambling Control Board.**

COUNTY APPROVAL for a gambling premises located in a township

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- ☐ The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: Gayle Chausse Date: 9-1-2023

(Signature must be CEO's signature; designee may not sign)

Print Name: _____

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

- a copy of your proof of nonprofit status; and
- application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is \$100; otherwise the fee is \$150. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

This form will be made available in alternative format (i.e. large print, braille) upon request.

An equal opportunity employer



Event Permits



EP-23-51

Events Permit Application

Status: Active

Submitted On: 9/1/2023

Primary Location

107 West Main Street

Owatonna, MN 55060

Owner

Applicant

 Ryan Seykora

ryan.seykora@ci.owatonna.mn.us

Event Information

Event Contact*

Ryan Seykora

Location of Event*

Owatonna Fire Department; 107 W. Main Street, Owatonna, MN

Description of Event* ?

Chili Feed and Open House to Kick off Fire Prevention Week 2023

Event Set Up Date

10/08/2023

Event Set Up Time* ?

1200

Actual Event Date*

10/08/2023

Actual Event Time* ?

1600- 1900

Clean Up Date*

10/08/2023

Clean Up Time ?

1900

Rain Date: In the event of inclement weather, will the event be postponed or canceled?*

Canceled

Estimated Attendance* ?

1000

Is this event a dance?*

No

Application Information

Sponsoring Organization Name*

Owatonna Fire Department

Mailing Address*

107 W MAIN ST

City*

OWATONNA, MN 55060

State*

MN

Zip*

55060

Website Address*

<https://www.owatonna.gov/296/Fire>

Primary Contact

Name*

Ryan J Seykora

Phone Number*

507-444-2454

Cell Phone

Email Address*

ryan.seykora@ci.owatonna.mn.us

Primary On-site Contact

Name*

Ryan J Seykora

Cell Phone*

507-227-9049

Alternate On-site Contact

Name*

On Duty Commander

Cell Phone*

507-456-1399

Refer Media or Citizen Inquiries To:

Name*

Ed Hoffman

Phone*

507-676-6320

Event Features

City Streets or Right-of-Way*

Yes

Start/End Time*

1300/2100

Date*

10/08/2023

Name of Requested Street(s)*

Cedar Ave S

Alleys*

Yes

Start/End Time*

1200/2100

Date*

10/08/2023

Name of Requested Alley(s)*

Alley behind the fire hall

City Sidewalks or Trails*

No

Public Parking Lots or Spaces*

No

Parks*

No

Will any signs/banners be put up?*

Yes

Number and Size*

4 Signs on the street corners. 5' x 3'

Will there be any inflatables?*

No

Will there be entertainment?*

No

Will sound amplification be used?*

No

Will a stage or tent(s) be set up?*

No

Will there be temporary fencing?* ?

No

Will merchandise/food items be sold?*

Yes

How many vendors expected?*

1

Will food be prepared on site?*

No

Will alcohol be sold?*

No

Is this a request for a temporary permit?*

Yes

Will there be a fireworks display?*

No

Describe power needs and location of power source*

None

Describe level of advertisement* ?

Social Media and Radio

Have adjacent property owners been notified of this event?*

No

Will the event need barricade(s)?

No

Will the event need cones?*

No

Size Needed*

Small

Will Central Park Stage be used?*

No

Will there be any horses?*

No

Describe trash removal and cleanup plan during and after event*

We will take care of all trash removal and clean up after the event.

Will event need traffic control?*

No

Describe crowd control procedure to ensure the safety of participants and spectators*

We will follow all emergency procedures put forth by the Owatonna Fire Department to provide participants with a safe environment.

Will "No Parking" signs be needed?*

No

Will event need security?*

No

Will event need Emergency Medical Services?*

No

Describe the emergency action plan if severe weather should arise?*

We will keep all participants inside the Owatonna Fire Department and follow our emergency procedures.

Please provide contact information for responsible party during event to advise of severe weather notifications:

Name*

Ryan J Seykora

Phone Number*

507-227-9049

Email*

ryan.seykora@ci.owatonna.mn.us

List any other pertinent information

CITY SERVICES - After reviewing the event application, City Services may be required for the event

Applicant Signature

*The sponsor(s) of this event hereby agrees to save the City, its agents, officials and employees harmless from and against all damages to persons or property, all expenses and other liability that may result from this activity. **Depending on the size of and scope of the event a "Certificate of Insurance" may be required.** If insurance is required, the policy must be kept in force during the event of at least the statutory limits for municipalities covering claims that might be brought against the event that arise out of the events authorized and to name the City as an additional insured on their policy "as their interest may appear." As the sponsor or authorized representative, I certify that the information provided is true to the best of my knowledge and agree to pay the permit fee for this event based upon the information provided in this application. I realize my submittal of this application request constitutes a contract between myself and the City of Owatonna and is a release of Liability.*

Signature of Applicant*

✓ Ryan J. Seykora
Sep 1, 2023

Internal Use

🔒 Special Provisions

 **Fire Department Approval / Comments / Notes**

 **Park & Rec. Department Approval / Comments / Notes**

 **Police Department Approval / Comments / Notes**

 **Public Works Department Approval / Comments / Notes**

 **Building & Inspection**

 **Date to Council**

—

 **Council Notes**

 **Items Needed**

Attachments

Site Plan

REQUIRED

 Chili_Feed.png
c3-files/owatonna/Chili_Feed_Fri_Sep_1_2023_15-26-3A47Z&se=2023-09-01
Uploaded by Ryan Seykora on Sep 1, 2023 at 3:26 PM
BAqFSE%2BQvOqk2gagF6EykvKWIFCJMWSlymeMAI4%3D)

History

Date	Activity
9/1/2023, 2:58:50 PM	Ryan Seykora started a draft of Record EP-23-51
9/1/2023, 3:26:47 PM	Ryan Seykora submitted Record EP-23-51
9/1/2023, 3:26:48 PM	approval step Admin Review was assigned to Jeanette Clawson on Record EP-23-51

Timeline

Label	Activated	Completed	Assignee	Due Date
✓ Admin Review	9/1/2023, 3:26:48 PM	-	Jeanette Clawson	-
✓ Police Approval	-	-	-	-
✓ Public Works Review	-	-	-	-
✓ Parks and Rec Review	-	-	-	-
✓ Fire Review	-	-	-	-
✓ Building and Inspections Review	-	-	-	-
✓ City Council Approval	-	-	-	-
📄 Event Approval Summary Issuance	-	-	-	-





EP-23-52

Events Permit
Application

Status: Active

Submitted On: 9/5/2023

Primary Location

No location

Applicant



Lisa Cochran



507-475-3451



@ lcochran@owatonna.org



120 S Oak Ave

Owatonna, MN 55060

Event Information

Event Contact*

Nicole Arndt

Location of Event*

Urban Loft on south side of 300 block of N. Cedar Ave, from alley to Pearl St.

Description of Event* ?

Business After Hours-5th Anniversary Celebration

Event Set Up Date

09/26/2023

Event Set Up Time* ?

3:00PM

Actual Event Date*

09/26/2023

Actual Event Time* ?

5:00PM

Clean Up Date*

09/26/2023

Clean Up Time ?

9:00PM

Rain Date: In the event of inclement weather,
will the event be postponed or canceled?*

Canceled

Estimated Attendance* ?

150

Is this event a dance?*

No

Application Information

Sponsoring Organization Name*

Urban Loft

Mailing Address*

303 N Cedar Ave

City*

Owatonna

State*

MN

Zip*

55060

Website Address*

<https://www.urbanloft.org/>

Primary Contact

Name*

Nicole Arndt

Phone Number*

507-382-5486

Cell Phone

507-382-5486

Email Address*

nicolemwinter@hotmail.com

Primary On-site Contact

Name*

Nicole Arndt

Cell Phone*

507-382-5486

Alternate On-site Contact

Name*

Lisa Cochran

Cell Phone*

15074753451

Refer Media or Citizen Inquiries To:

Name*

Nicole Arndt

Phone*

507-382-5486

Event Features

City Streets or Right-of-Way*

Yes

Start/End Time*

3:00PM

Date*

09/26/2023

Name of Requested Street(s)*

N. Cedar Ave

Alleys*

No

City Sidewalks or Trails*

Yes

Start/End Time*

3:00PM

Date*

09/26/2023

Public Parking Lots or Spaces*

Yes

Start/End Time*

3:00PM

Date*

09/26/2023

Parks*

No

Will any signs/banners be put up?*

No

Will there be any inflatables?*

No

Will there be entertainment?*

Yes

What Type*

Music

Will sound amplification be used?*

Yes

Type*

small, from band

Hours*

5:30PM-8:00PM

Will sound be amplified after 10:00pm?*

No

Sound amplified after 10:00 p.m. will require an Exception to the City's Noise Ordinance. There is a \$150 fee for an Exception to the City's Noise Ordinance which must be paid with this Event Application

Will a stage or tent(s) be set up?*

Yes

Dimensions*

4' x 8' stage, 20x20 tent with cement anchors for the street

Fees may apply. No staking without approval.

Will there be temporary fencing?* 

No

Will merchandise/food items be sold?*

No

Will food be prepared on site?*

No

Will alcohol be sold?*

No

Is this a request for a temporary permit?*

Yes

Will there be a fireworks display?*

No

Describe power needs and location of power source*

Power is provided by Urban Loft

Describe level of advertisement* 

Invitations

Have adjacent property owners been notified
of this event?*

Yes

Signatures required.

Will the event need barricade(s)?

Yes

Number Needed

3

Size Needed*

Medium

Event organizer is responsible for pickup and return of barricades at the City Shop, 1100 Industrial Blvd., Monday-Friday 7 AM to 3 PM. Please call 507-774-7050 to make arrangements". *Fees may apply.*

Will the event need cones?*

Number Needed*

Yes

10

Size Needed*

Large

Event organizer is responsible for pickup and return of cones at the City Shop, 1100 Industrial Blvd., Monday-Friday 7 AM to 3 PM. Please call 507-774-7050 to make arrangements". *Fees may apply.*

Will Central Park Stage be used?*

Will there be any horses?*

No

No

Describe trash removal and cleanup plan during and after event*

Normal trash receptacles on street and extra provided by Urban Loft

Will event need traffic control?*

No

Describe crowd control procedure to ensure the safety of participants and spectators*

Hopefully people are polite - they usually are!

Will "No Parking" signs be needed?*

Number Needed*

Yes

10

Fees may apply, show location(s) on site map.

Will event need security?*

No

Will event need Emergency Medical Services?*

No

Describe the emergency action plan if severe weather should arise?*

Event will be moved inside of Urban Loft or it will be cancelled if really severe weather arises.

Please provide contact information for responsible party during event to advise of severe weather notifications:

Name*

Nicole Arndt

Phone Number*

507-382-5486

Email*

nicolemwinter@hotmail.com

List any other pertinent information

There was some miscommunication between Nicole and I about the permit application. We each thought the other was going to fill it out. Since I have experience, I am doing it now, but it is the day of the meeting and the next meeting is on the actual event day. This is only for half a block closure for Business After Hours on September 26th. I am asking if the council can approve on the good faith that all the entities will approve and not have objections.

CITY SERVICES - Afer reviewing the event application, City Services may be required for the event

Applicant Signature

*The sponsor(s) of this event hereby agrees to save the City, its agents, officials and employees harmless from and against all damages to persons or property, all expenses and other liability that may result from this activity. **Depending on the size of and scope of the event a “Certificate of Insurance” may be required.** If insurance is required, the policy must be kept in force during the event of at least the statutory limits for municipalities covering claims that might be brought against the event that arise out of the events authorized and to name the City as an additional insured on their policy “as their interest may appear.” As the sponsor or authorized representative, I certify that the information provided is true to the best of my knowledge and agree to pay the permit fee for this event based upon the information provided in this application. I realize my submittal of this application request constitutes a contract between myself and the City of Owatonna and is a release of Liability.*

Signature of Applicant*

✓ Lisa M Cochran
May 3, 2023

Internal Use

🔒 Special Provisions

🔒 Fire Department Approval / Comments / Notes
Approved with no comment made.

Park & Rec. Department Approval / Comments / Notes

Approved - no impact on P&R Department

Police Department Approval / Comments / Notes

Approved - no budges impact, police resources not needed.

Public Works Department Approval / Comments / Notes

Approved - no comment.

Building & Inspection

Approved - no comment.

Date to Council

— Consent Agenda Item - September 19, 2023

Council Notes

Items Needed

Attachments

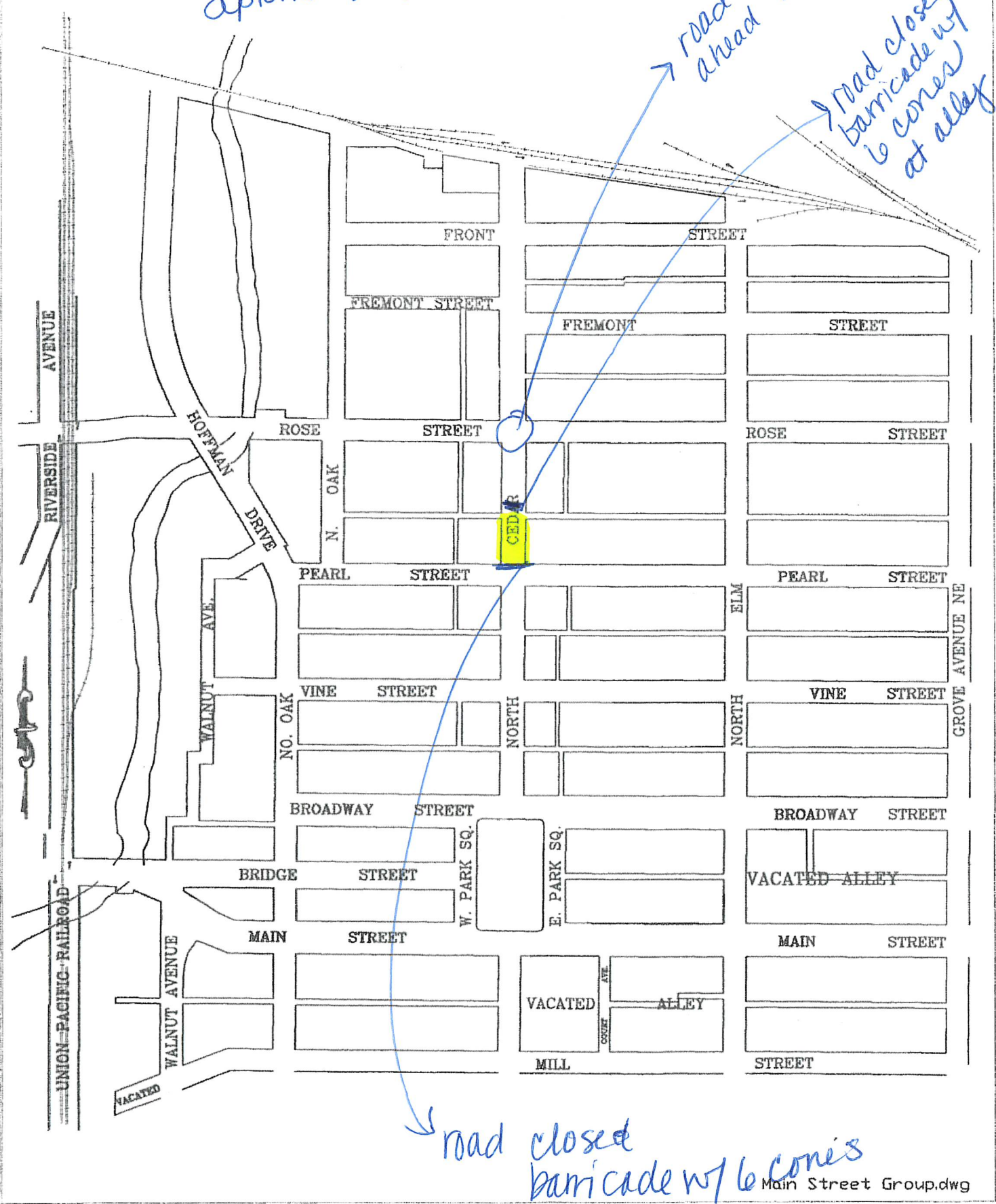
Event on
September 26th

road closed
ahead sign

road closed
barricade w/
6 cones
at alley

road closed
barricade w/ 6 cones

Main Street Group.dwg





Administration Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Jeanette Clawson, Administrative Coordinator
SUBJECT: Renew Annual Charitable Gambling Licenses

Purpose:

Council approval to renew the Charitable Gambling Permits with Non-Profit Organizations to conduct Lawful Gambling (pull-tabs) within the City.

Background:

Non-Profit Organizations wishing to conduct Lawful Gambling within the City receive an annually permit. Each organization is allowed to hold up to five Premises Permits. Ordinance 1582 allows an annual local investigation fee as provided in Minn. Stat. § 349.161, subd. 8(2). Nine organizations offer pull-tabs at 15 various sites within the city:

- American Legion Post #77
- Divine Mercy Catholic School - Timber Lodge Steak House
- Eagles Aerie # 1791-Owatonna
- Elks Lodge #1395-Owatonna
- Knights of Columbus Council
- VFW Post 3723
- Owatonna Wrestling Association - Just One More, Reggie's Brewhouse,
Lava Burger & Wings, Brooktree Clubhouse
- Owatonna Youth Hockey Association - Wing's Tavern & Grille, Bridge Street
Tavern, Southside and Foremost Brewing Cooperative
- Steele County Snowmobile Trail Association - The Dog Pound

Budget Impact:

\$2,250 - the annual fee is \$250 per organization (\$250 x 9)

Staff Recommendation:

Staff recommends approval to renew these Charitable Gambling Permits.

Attachments:

None



Miscellaneous



Administration Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Jeanette Clawson, Administrative Coordinator
SUBJECT: Resolution 80-23 Authorize Contract for Purchases - Fame Awards

Purpose:

Council approve Resolution 80-23 authorizing purchases from Fame Awards.

Background:

The City purchased recognition products from Fame Awards. Doug Voss, a current Council Member At-Large for the City of Owatonna, owns this business.

State Statute prohibits a City Council member from having a personal financial interest in a contract with the City unless it meets an exception included in the statute. By unanimous vote, the council may contract goods and services with an interested officer in certain enumerated situations, including “a contract for which competitive bids are *not* required by law.” Competitive bids are not required for contracts less than \$100,000.00.

When no competitive bid is required, these steps must be followed:

1. That the council adopt a resolution authorizing the contract which includes a statement that the contract price is as low as or lower than the price for which the commodity could be obtained elsewhere;
2. That before payment is made to the public official, the public official must file with the city clerk an affidavit stating that to the best of the officer’s knowledge, the contract’s price is as low as or lower than the price at which the commodity could be obtained from other sources;
3. That the council must approve the contract by unanimous vote; and
4. The public official must abstain from voting on the matter.

Budget Impact:

The amount of these purchases is \$1,736.70.

Staff Recommendation:

Staff recommends approval of Resolution 80-23.

Attachments:

1. Resolution 80-23 Contract - Fame Award Purchases

RESOLUTION NO. 80-23

A RESOLUTION AUTHORIZING CONTRACT WITH FAME AWARDS
PURSUANT TO MINN. STAT. §§ 471.87-89

WHEREAS, the City of Owatonna desires to purchase certain recognition products; and

WHEREAS, Douglas V. Voss, owner of Fame Awards, is a City Council member of the City and will be financially interested in the contract; and

WHEREAS, the contract in the sum of \$1,736.70 is not one that is required to be competitively bid; and

WHEREAS, Councilmember Voss has signed an Affidavit of Official Interest in Claim as required by law. and

WHEREAS, the contract price of \$1,736.70 is as low as, or lower than, the price at which the goods can be obtained elsewhere at this time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Owatonna, Minnesota as follows:

1. The City Clerk-Treasurer is directed to make the above-mentioned purchases on behalf of the City from Fame Awards for a price of \$1,736.70.
2. The Mayor and City Clerk-Treasurer are directed to issue an order-check to pay the claim upon the filing of an affidavit of official interest by the interested official pursuant to Minn. Stat. § 471.89.
3. This resolution is adopted pursuant to Minn. Stat. §§ 471.87-89.

Passed and adopted this ____ day of _____, 2023, with the following vote:

Aye ____; No ____; Absent ____; Recused ____.

Approved and signed this ____ day of _____, 2023.

ATTEST:

Thomas A. Kuntz, Mayor

Kris M. Busse, City Administrator



Parks, Trails, Recreation & Facilities Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Eric Anderson, Recreation Manager
SUBJECT: Facility Use Agreement - Owatonna Diving Club

Purpose:

Renew the Facility Use Agreement with the Owatonna Diving Club.

Background:

The City of Owatonna enjoys a long-standing relationship with the Owatonna Diving Club, which assists the city with services at Lake Kohlmier and River Springs Water Park. These services include the annual swim beach install/removal of the ropes, buoys, and anchors. They also help with the retrieval of small equipment in the lake, such as picnic tables or bikes throughout the summer. At River Springs Water Park, the Diving Club clears the pool's bottom of debris and glass, and addresses drain issues at no cost. The Diving Club needs assistance during the winter months to secure pool space for their Scuba Diving classes. The city would reserve the pool space for its programs in exchange for services provided to the city.

Currently, the Diving Club uses the Middle School pool on Wednesday evenings. This would stay the same. There is no charge for the use of the pool and the Diving Club would be responsible for their own lifeguard requirements. This agreement would continue the formal arrangement and the long-standing working relationship between the City and Owatonna Diving Club.

Budget Impact:

The commercial rate for Scuba Diver services for 2 people is \$650 for the 1st hour and \$350 for each additional hour. This partnership will save the City a minimum of \$2000 per year for just the Lake Kohlmier Swim Area preparation and takedown. Further cost savings will be realized if additional services are requested by the Owatonna Diving Club.

Staff Recommendation:

Staff recommends approval of this agreement.

Attachments:

1. 2023 Agreement - Owatonna Diving Club (signed by Club President)
2. Owatonna Dive Club - Cert of Ins (Oct 2022-Oct 2023)

CITY OF OWATONNA AND OWATONNA DIVING CLUB

AGREEMENT

THIS AGREEMENT made and entered into this 19th day of September 2023, by and between the City of Owatonna, a municipal corporation, hereinafter referred to as the City, and the Owatonna Diving Club hereinafter referred to as the Club.

WITNESSETH:

WHEREAS, City provides a summer swimming beach at Lake Kohlmier, and desires the assistance from the Club for preparation and the taking down of the swim area equipment.

WHEREAS, City desires the assistance from the Club for other cleaning and repair tasks at Lake Kohlmier and River Springs Water Park.

WHEREAS, the Club desires to render the assistance and perform the services desired by the City, and

WHEREAS, the Club agrees to perform the services for the City under the terms and conditions set forth in this agreement;

NOW THEREFORE, in consideration of the foregoing and in consideration of the promises hereinafter set forth, City and the Club mutually agree as follows:

PARTNERS RESPONSIBILITIES:

1. **Support Park and Recreation Department.** The Club shall work directly with the Recreation Manager, or appointed designee, and shall provide assistance and support with the following tasks:
 - a. Installing ropes and buoys at the Lake Kohlmier swim area at least 1 day prior to the Park Board approved beach opening date
 - b. Removing ropes and buoys from Lake Kohlmier swim area within 2 weeks of the Park Board approved beach closing date.
 - c. Assisting with other requested 'in water' cleaning tasks and repair tasks at River Springs Waterpark and West Hills Tennis & Fitness Center.
2. **The Club's Staff and Volunteers.** The Club shall be responsible for supervision and performance and conduct of all its officers, members, volunteers, and subcontractors (herein collectively "Volunteers") providing services under this agreement.
 - a. The Club shall conduct any background checks of Volunteers as the City may require.
3. **Registration.** The Club shall be responsible for all registration of its participants for the Scuba Diving program.

4. **Promotion.** The Club shall be responsible for all promotion of the Scuba Diving program.
5. **Lifeguards.** The Club shall be responsible for providing a certified Lifeguard for its Scuba Diving program. If the Club is unable to provide a Lifeguard, the City will provide a Lifeguard, and other required staff to perform the lifeguard duties, if the City has available staff to meet this need. The Club shall pay the City market rate for the cost of all City provided staff.
6. **Additional Fees.** The Club shall be responsible for paying any additional fees associated with the Scuba Club program, including pool cancellations fees and janitorial overtime costs
7. **Equipment and Equipment Storage.** The Club shall be responsible for all equipment and supplies associated with the Scuba Diving program. The Club shall be responsible for all equipment storage associated with the Scuba Diving program.
8. **Communication.** The Club will be in regular communication with the City on program scheduling needs.

CITY'S RESPONSIBILITIES:

1. **Space.** City shall provide up to 60 hours of pool time, between the months of November through May, for use by the Club for Scuba Diving programs.
2. **Program Schedule.** The City shall request from the Club the proposed Scuba Diving program schedule and reserve pool space associated with the program based on the proposed schedule or agreed upon schedule changes, in the event pool space is not available during the proposed schedule.
3. **Equipment and Supplies.** The City shall be responsible for any Lake Kohlmier Swim Area equipment and supplies, River Springs Water Park repair or cleaning supplies and West Hills Tennis & Fitness Center repair or cleaning supplies.
4. **Lifeguards.** The City shall provide a Lifeguard, and other required staff to perform the lifeguarding duties, for the Scuba Diving program if the Club is unable to provide a lifeguard and the City has available staff to meet this need. The Club shall pay the City market rate for the cost of all City provided staff.
5. **Communication.** The City will be in regular communication with the Club regarding Lake Kohlmier Swim Area needs and requests for additional assistance.
6. **City Retains Authority.** The City will be responsible for making all final decisions related to the use of City facilities used by the Club of its Scuba program.

GENERAL CONDITIONS:

1. **Relationship.** It is understood that the Lake Kohlmier Beach, River Springs Water Park and West Hills Tennis and Fitness Center are City facilities and the Club will assist the City in the services requested. It is understood that the Scuba Diving program is the Club program and the City is not associated with the program in any way other than providing space for the program.
2. **Equipment.** The City will own and store all City owned equipment and supplies. The Club shall own and store all Club owned equipment and supplies.
3. **Assignment.** The Club may not assign this Agreement to any other person or entity unless the City consents in writing to the assignment.
4. **Liability Insurance.** The Club shall take out and maintain during the term of this agreement Commercial General Liability insurance coverage to protect the Club, its officers, employees, agents, members, volunteers and anyone directly or indirectly engaged or employed by the Club from any and all claims for damage to property or for personal injury, including death, made by anyone, arising under this Agreement with the following limits of coverage:
 - Commercial General Liability coverage with limits of not less than \$1 Million per occurrence and \$2 Million annual aggregate.

The policy shall be issued by a company authorized to do business in the State of Minnesota and, if mutual, shall be non-assessable. The Club shall provide the City with a Certificate of Insurance naming the City as an additional insured.

The Club agrees to provide Workers Compensation insurance for all its employees in accordance with the statutory requirements of the State of Minnesota. Prior to providing services to the City pursuant to this Agreement or assigning an official to any City events, the Club shall deliver to the City a certificate of insurance providing that the W.C. coverage is in full force and effect.

5. **Indemnification.** The Club agrees to perform and comply with all the conditions, regulations, and provisions described herein, and to defend, indemnify, and hold harmless the City, its officers, agents, or employees of and from all liability, lien, judgment, costs, damages and expenses of whatsoever kind arising out of or resulting from the performance of work under this Agreement but only to the extent caused wholly or in part by the negligence of the Club and its Volunteers.
6. **Subrogation.** In accordance with the subrogation provisions of the standard property insurance contract, it is hereby understood and agreed by and between the undersigned parties that they do jointly and separately waive any or all right of recovery against the other insured loss occurring to the real property and personal property owned by City and personal property owned by the Club.
7. **Force Majeure.** Except for payment of sums due, neither Party shall be liable to the other or deemed in default under this Agreement, if and to the extent that Party's performance is prevented by reason of force majeure.

"Force majeure" includes war, an act of terrorism, a pandemic or epidemic, fire, earthquake, flood or other circumstances which are beyond the control and without the fault or negligence of the Party affected and which by the exercise of reasonable diligence the Party affected was unable to prevent. The City retains the right to cancel the Scuba Diving program at any time for reasons related to COVID-19 without liability to the Club except for fees owed.

8. **Cancellation.** This agreement shall be subject to cancellation by the City in the event of the happening of any one or more of the following:
 - a. Failure of the Club to perform, keep, and observe any of the conditions of the contract, and the failure of the Club to correct the default or breach within the times specified by the Recreation Manager.
 - b. Upon mutual consent of the City and the Club.
9. **Termination.** Upon termination of this agreement because of expiration of the term or upon termination for any other reason, the Club shall remove all personal property belonging to the Club and shall leave the premises in the condition in which they were received. In the event said personal property are not removed within thirty (30) days from expiration of this agreement or its termination for any other reason, the Club shall be deemed to have abandoned the same to the City.
10. **Personal Property.** The City shall not be liable for any damage to persons or properties in the space assigned to the Club. The Club agrees that all personal property upon such premises shall be kept at the risk of the Club only and the City shall not be liable for any damages thereto or loss or theft thereof.
11. **Renewal.** Negotiations for a new contract will begin at least 2 months prior to the completion of the current term of agreement, with agreement of a new contract or termination finalized on or before 1 month prior to the complete of the current term of agreement.
12. **Term.** The term of this agreement is October 1, 2023 to September 30, 2024.

IN WITNESS THEREOF, the parties have hereunto set their hands the day and year first above written.

The Club

By: 

Ryan Bauer, President

City of Owatonna

By: _____

Tom Kuntz, Mayor

and

By: _____

Kris Busse, City Administrator

**PROFESSIONAL LIABILITY INSURANCE****UNDERWRITER: DAN RISK RETENTION GROUP, INC.**

offered through

DAN SERVICES, INC.

NAIC NO. 15928 - SC COMPANY CODE: 207640

6 W. Colony Place, Suite 200, Durham, NC 27705

DECLARATIONS PAGE**Named Insured** Corey Monahan**Address**
City, State, Zip**Policy Number:****Policyholder ID:**See Policy for a full description of terms,
conditions, limitations & exclusions.**DESCRIPTION OF OPERATIONS:**Professional Liability for the instruction or supervision of sanctioned recreational swimming,
snorkeling, skin diving, free diving, RSSA diving or scuba diving, and training and supervision
of students during the instruction of standard first aid.*This policy consists of the following coverage parts for which a premium is indicated.**The premium may be subject to adjustment.*

Professional Liability	\$751.42	POLICY PERIOD	
Rebreather Endorsement	Not Included	Effective Date:	Expiration Date:
Equipment Endorsement	Not Included	Oct-17-2022	Oct-17-2023
Technical Coverage	Not Included	12:01AM EST	12:01AM EST
Excess Liability	Not Included		
Cylinder Inspection Endorsement	Not Included		
AAUS Endorsement	Not Included		
Taxes and Administrative Fee	\$77.58		
TOTAL PREMIUM	\$829.00	Minimum/Retained - 100%	

*In exchange for the payment of the premium and subject to all terms of this policy,
we agree to provide the insurance as stated in this policy.***FORM OF BUSINESS:**

Scuba Instructor

LIMITS OF LIABILITY**SCHEDULE OF DEDUCTIBLES**

Aggregate (Sum of all DAMAGES and DEFENSE EXPENSES)	\$2,000,000 Per POLICY PERIOD	Deductible	\$0.00
Per EVENT (DAMAGES Only)	\$1,000,000 Per EVENT		
Per EVENT (DEFENSE EXPENSES Only)	\$1,000,000 Per EVENT		

RETROACTIVE DATE: Earliest Date of Continuous Professional Liability Coverage**INSURED TEACHING STAFF:** Per the schedule below but only to the extent each such person is providing **PROFESSIONAL SERVICES** on behalf
of the **NAMED INSURED** specified above as an employee or contractor of such **NAMED INSURED**.**ADDITIONAL INSURED:** Per the schedule below and only for legal liability arising vicariously from any **EVENT** which results from an act, error
or omission of the **INSURED**.**FORMS AND ENDORSEMENTS:** PL109**SEND CLAIM NOTIFICATIONS TO:**

DAN Services, Inc.

Fax: (919) 490-2935

E-Mail: LiabilityInsurance@dan.org

**Notice: This policy is issued by your Risk Retention Group. Your Risk Retention Group may not be subject to all of
the insurance laws and regulations of your state. State insurance insolvency guaranty funds are not available for
your Risk Retention Group.**

Date: Oct-12-2022

Per:
William M. Zieffle, DAN Services, Inc.

Date: Oct-12-2022

Agent/Broker:
Rochelle L. Wright, 6 W. Colony Place, Durham, NC 27705
License # W151191

The insured is requested to read this declarations page, and if incorrect, return it immediately for alteration.

THIS POLICY CONTAINS A CLAUSE(S) WHICH MAY LIMIT THE AMOUNT PAYABLE.**THIS POLICY DOES NOT AUTOMATICALLY RENEW**

PL109



nafter called the "Insurer") offered through
DAN SERVICES, INC.
NAIC NO. 15928 - SC COMPANY CODE: 207640
6 W. Colony Place, Suite 200, Durham, NC 27705

DECLARATIONS PAGE

Named Insured Corey Monahan

Address
City, State, Zip

Policy Number:
Policyholder ID:
See Policy for a full description of terms,
conditions, limitations & exclusions.

SCHEDULE OF DESIGNATED ADDITIONAL INSUREDS

NAME	ADDRESS	CITY	STATE	ZIP
Professional Association of Diving Instructors (PADI)	30151 Tomas	Rancho Santa Margarita	CA	92688
City of Owatonna	Owatonna	Owatonna	MN	55060
Owatonna Diving Club	135 E. Front Street	Owatonna	MN	55060
Steve Mielke	1385 NW 36th St	Owatonna	MN	55060
Professional Association of Diving Instruction	30151 Tomas	Rancho Santa Margarita	CA	92688
Eric Matejcek	1235 Havana Rd	Owatonna	MN	55060

SCHEDULE OF DESIGNATED REBREATHING MANUFACTURER

MANUFACTURER	MODEL	CERTIFICATION AGENCY	No.	

PL109



Public Works Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Sean Murphy, Public Works Director
SUBJECT: Havana Road State Aid Project Change Order #2 - Wenc Construction.

Purpose:

To receive council approval for Change Order No. 2 for the 2023 Havana Road Project.

Background:

The City will waive liquidated damages based on the following items:

- Installation of the permanent sediment control device in a storm structure; Delay in the supply chain and its installation does not affect the timeline for the rest of the project.
- Established vegetation of the rapid stabilization and the final removal of inlet protection.

The project deadline of August 31, 2023 has otherwise been met.

Budget Impact:

There is no budget impact.

Staff Recommendation:

Staff recommends approval.

Attachments:

1. Havana Road Change Order #2



STATE AID FOR LOCAL TRANSPORTATION CHANGE ORDER

Rev. February 2018

SP/SAP(s)	153-113-007	MN Project No.:	N/A	Change Order No.	2
-----------	-------------	-----------------	-----	------------------	---

Project Location	Havana Rd. SE – from Truman Ave to Cardinal Dr.		
Local Agency	City of Owatonna	Local Project No.	23006
Contractor	Wencl Construction	Contract No.	
Address/City/State/Zip			
Total Change Order Amount \$		\$ 0.00	

(Describe work and justification for change order.)

The City will waive liquidated damages based on the following items: The permanent sediment control device to be installed in a storm structure; due to a delay in the supply chain and that its installation does not affect the timeline for the rest of the project. The established vegetation of the rapid stabilization and the final removal of inlet protection. (The project deadline of August 31st, 2023, has otherwise been met)

Estimate Of Cost: (Include any increases or decreases in contract items, any negotiated or force account items.)						
**Group/ funding Category	Item No.	Description	Unit	Unit Price	+ or – Quantity	+ or – Amount \$
		N/A				
Net Change this Change Order						\$ 0.00

****Group/funding category is required for federal aid projects**

Due to this change, the contract time: (check one)	
(X) Is NOT changed	() May be revised as provided in MnDOT Specification 1806
() Is Increased by _____ Working Days	() Is Increased by _____ Calendar Days
() Is Decreased by _____ Working Days	() Is Decreased by _____ Calendar Days

Approved by Project Engineer:  Date: 9/13/2023

Print Name: Sean Murphy, PE Phone: _____

Approved by Contractor:  Date: 9/13/23

Print Name: Bryant Wencel Phone: 507-676-1318

DSAE Portion: The State of Minnesota is not a participant in this contract. Signature by the District State Aid Engineer is for FUNDING PURPOSES ONLY and for compliance with State and Federal Aid Rules/Policy. Eligibility does not guarantee funds will be available.

This work is eligible for: _____ Federal Funding _____ State Aid Funding _____ Local Funds

District State Aid Engineer: _____ Date: _____

RECAP:

\$	106,175.41	Bosch Automotive Service - TIF 3-14 payment - replacement check
	26,408.10	Central Farm Service - fleet fuel
	23,672.94	Crane Creek Asphalt - hotmix for street repairs
	45,261.68	Motorola Solutions - Fire & Police Mobile Radios
	20,000.00	Nick Lewis - forgivable loan
	28,439.84	Owatonna Chamber - July lodging tax
	40,000.00	Owatonna Chamber - EDA & Mainstreet 2nd half
	1,801,144.39	Rice Lake Const - WWTF Expansion Est 15
	<u>237,108.16</u>	OTHER EXPENDITURES
\$	<u><u>2,328,210.52</u></u>	TOTAL EXPENDITURES PRESENTED FOR APPROVAL

NOTE: Checks over \$20,000 are detailed out individually

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
Cash Account: 999-19100-000-000-000000					
374782	09/12/23	A H HERMEL CANDY & TOBACCO CO	3,468.77	R	ACH
374783	09/12/23	ALEXANDER LUMBER COMPANY	865.56	0	Regular
374784	09/12/23	APG MEDIA OF SO MINNESOTA LLC	829.15	0	Regular
374785	09/12/23	ARAMARK UNIFORM SERVICES INC	308.74	0	Regular
374786	09/12/23	ARROW ACE HARDWARE	221.76	0	Regular
374787	09/12/23	ASPEN EQUIPMENT	227.97	0	Regular
374788	09/12/23	AUTO TRIM DESIGN OF OWATONNA	400.00	0	Regular
374789	09/12/23	AVFUEL CORPORATION	13,989.85	0	Regular
374790	09/12/23	BAKER & TAYLOR BOOKS	1,775.17	R	ACH
374791	09/12/23	BCT MINNEAPOLIS	156.91	0	Regular
374792	09/12/23	BETH TIMM	50.00	0	Regular
374793	09/12/23	BOSCH AUTOMOTIVE SERVICE SOLUT	106,175.41	0	Regular
374794	09/12/23	BOUND TREE MEDICAL LLC	37.78	0	Regular
374795	09/12/23	BRAD BUSHO	1,000.00	0	Regular
374796	09/12/23	BRYAN ROCK PRODUCTS INC	2,409.66	0	Regular
374797	09/12/23	CARQUEST	1,296.49	0	Regular
374798	09/12/23	CAVALIER COACHES INC	2,425.00	0	Regular
374799	09/12/23	CEMSTONE PRODUCTS CO	105.11	0	Regular
374800	09/12/23	CENTRAL FARM SERVICE	26,408.10	0	Regular
374801	09/12/23	CINTAS	89.09	0	Regular
374802	09/12/23	COALITION OF GREATER MN CITIES	875.00	0	Regular
374803	09/12/23	CONTINENTAL RESEARCH CORP	487.85	R	ACH
374804	09/12/23	COVERALL OF THE TWIN CITIES	2,455.00	0	Regular
374805	09/12/23	COVERTTRACK GROUP, INC.	608.05	0	Regular
374806	09/12/23	CRANE CREEK ASPHALT	23,672.94	R	ACH
374807	09/12/23	CULLIGAN OF OWATONNA	31.08	0	Regular
374808	09/12/23	CURT'S TRUCK & DIESEL SERVICE	840.16	R	ACH
374809	09/12/23	D & M CONSTRUCTION LLC	143.12	R	ACH
374810	09/12/23	DELL MARKETING LP	10,069.92	0	Regular
374811	09/12/23	EMPLOYEE STRATEGIES INC	4,375.00	R	ACH
374812	09/12/23	FAME AWARDS	1,736.70	0	Regular
374813	09/12/23	FARIBO PLUMBING & HEATING	990.00	0	Regular
374814	09/12/23	FARMERS FEED AND PET SUPPLY	69.99	0	Regular
374815	09/12/23	FASTENAL COMPANY	172.81	0	Regular
374816	09/12/23	FIREHOUSE INNOVATIONS LI INC	8,150.00	0	Regular
374817	09/12/23	FIRST SUPPLY OWATONNA	629.91	0	Regular
374818	09/12/23	FOUR SEASONS ELECTRIC	172.50	R	ACH
374819	09/12/23	HAWKINS INC	17,752.56	R	ACH
374820	09/12/23	HD SUPPLY INC	345.38	R	ACH
374821	09/12/23	HEIMAN INC	323.13	0	Regular
374822	09/12/23	HILLYARD INC	1,073.90	0	Regular
374823	09/12/23	HOUSE OWATONNA	481.15	0	Regular
374824	09/12/23	HUBER SUPPLY CO INC	17.05	0	Regular
374825	09/12/23	IFACS	101.85	R	ACH

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
374826	09/12/23	INNOVATIVE OFFICE SOLUTIONS	202.05	0	Regular
374827	09/12/23	JAMES KREEGER	50.00	0	Regular
374828	09/12/23	JONES HAUGH & SMITH INC	1,400.00	0	Regular
374829	09/12/23	KATHLEEN MIKKALSON	50.00	0	Regular
374830	09/12/23	KENDELL DOORS & HARDWARE INC	233.00	R	ACH
374831	09/12/23	KILEY BERGE	2,538.00	0	Regular
374832	09/12/23	KOWZ-FM	417.00	R	ACH
374833	09/12/23	KWIK TRIP INC	134.09	0	Regular
374834	09/12/23	LACEYS AT BROOKTREE	468.00	0	Regular
374835	09/12/23	LARRY THORNHILL	432.00	0	Regular
374836	09/12/23	LAWSON AUTOMOTIVE LLC	526.74	0	Regular
374837	09/12/23	LAWSON PRODUCTS	157.99	0	Regular
374838	09/12/23	LEGACY SIGNS INC	450.00	0	Regular
374839	09/12/23	LINGUALINX LANGUAGE SOLUTIONS	49.00	R	ACH
374840	09/12/23	LUMBER ONE AVON	5,000.00	0	Regular
374841	09/12/23	MARCO TECHNOLOGIES LLC	334.52	0	Regular
374842	09/12/23	MARTIN FAMILY LLC	10,000.00	R	ACH
374843	09/12/23	MATTHEW LOUNSBURY	446.95	0	Regular
374844	09/12/23	MATTHEW R HOKANSON	1,756.20	R	ACH
374845	09/12/23	MEI TOTAL ELEVATOR	11,101.20	0	Regular
374846	09/12/23	MESSERLI & KRAMER PA	3,159.77	0	Regular
374847	09/12/23	METRO SALES INC	402.31	0	Regular
374848	09/12/23	MIDWEST TAPE LLC	1,759.89	0	Regular
374849	09/12/23	MN DEPT OF TRANSPORTATION	192.65	0	Regular
374850	09/12/23	MN FIRE SERVICE CERT BOARD	50.00	0	Regular
374851	09/12/23	MN NCPERS GROUP LIFE INSURANCE	432.00	0	Regular
374852	09/12/23	MN RECREATION & PARK ASSN	1,888.00	0	Regular
374853	09/12/23	MN VALLEY TESTING LABS INC	1,306.25	0	Regular
374854	09/12/23	MOHS CONTRACTING INC	5,000.00	0	Regular
374855	09/12/23	MOTOROLA SOLUTIONS INC	45,261.68	R	ACH
374856	09/12/23	MTI DISTRIBUTING INC	300.76	R	ACH
374857	09/12/23	NAN MCKAY & ASSOCIATES INC	419.00	0	Regular
374858	09/12/23	NAPA AUTO PARTS	5,176.93	R	ACH
374859	09/12/23	NICK LEWIS	20,000.00	0	Regular
374860	09/12/23	NORTHLAND FARM SYSTEMS	9.64	0	Regular
374861	09/12/23	NORTHLAND SECURITIES INC	5,227.50	0	Regular
374862	09/12/23	O'REILLY AUTOMOTIVE INC	118.13	0	Regular
374863	09/12/23	OLYMPIC FIRE PROTECTION CORP	234.91	0	Regular
374864	09/12/23	OPUS DESIGN BUILD LLC	10,000.00	0	Regular
374865	09/12/23	OWATONNA AREA CHAMBER OF COMM	68,439.84	0	Regular
374866	09/12/23	OWATONNA GLASS LLC	249.66	0	Regular
374867	09/12/23	OWATONNA MOTOR COMPANY	809.41	0	Regular
374868	09/12/23	OWATONNA PUBLIC UTILITIES	2,568.31	R	ACH
374869	09/12/23	PUMP AND METER SERVICE, INC	481.78	R	ACH
374870	09/12/23	RAINY FALLS VENTURE LLC	256.00	0	Regular

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
374871	09/12/23	RAMY TURF PRODUCTS	3,600.00	0	Regular
374872	09/12/23	RCM SPECIALTIES	5,123.36	0	Regular
374873	09/12/23	RENT N SAVE	470.25	0	Regular
374874	09/12/23	RICE LAKE CONSTRUCTION GROUP	1,801,144.39	R	ACH
374875	09/12/23	RICE STEELE 911 CENTER	120.00	0	Regular
374876	09/12/23	SCOTT MCDONALD	528.00	0	Regular
374877	09/12/23	SELCO	2,323.78	R	ACH
374878	09/12/23	SHI CORP	4,198.41	0	Regular
374879	09/12/23	SONS OF NORWAY	50.00	0	Regular
374880	09/12/23	SOUTH COUNTY HEALTH ALLIANCE	50.00	0	Regular
374881	09/12/23	SPHERION STAFFING LLC	3,400.25	0	Regular
374882	09/12/23	ST CROIX RECREATION CO	3,600.00	R	ACH
374883	09/12/23	STAR TRIBUNE	57.88	R	ACH
374884	09/12/23	STATE INDUSTRIAL PRODUCTS	913.12	0	Regular
374885	09/12/23	STEELE COUNTY AUDITOR	11,030.45	0	Regular
374886	09/12/23	STEELE COUNTY TREASURER	5,944.25	0	Regular
374887	09/12/23	TAMMY R INGVALDSON	13.00	0	Regular
374888	09/12/23	TAYLOR MADE GOLF COMPANY INC	891.00	0	Regular
374889	09/12/23	TEMPLE ELECTRIC MOTOR SERV INC	370.00	0	Regular
374890	09/12/23	TEXAS REFINERY CORP	1,818.93	0	Regular
374891	09/12/23	TOTAL RESTAURANT SUPPLY CO INC	1,084.78	0	Regular
374892	09/12/23	TURFWERKS	191.45	R	ACH
374893	09/12/23	ULINE	71.30	0	Regular
374894	09/12/23	UNITED WAY	107.00	0	Regular
374895	09/12/23	UTILITY CONSULTANTS INC	1,668.23	R	ACH
374896	09/12/23	VEGA AMERICAS INC	894.84	R	ACH
374897	09/12/23	VENTURE HYDRAULICS INC	93.32	R	ACH
374898	09/12/23	VERIZON WIRELESS	333.13	0	Regular
374899	09/12/23	W W BLACKTOPPING INC	1,061.94	0	Regular
374900	09/12/23	WALBRAN & FURNESS CHARTERED	12,948.25	R	ACH
374901	09/12/23	WASTE MANAGEMENT OF WI-MN	176.80	0	Regular
374902	09/12/23	WHKS & CO	15,776.25	R	ACH
374903	09/12/23	WHKS & CO	267.00	R	ACH
374904	09/12/23	WOLFF AND SONS INC	243.00	R	ACH
374905	09/12/23	XCEL ENERGY	339.43	0	Regular

91	Checks total:	369,622.17
33	ACH total:	1,958,588.35
0	EFTPS total:	
0	Wire transfer total:	
0	Payment Manager total:	
124	GRAND TOTALS	2,328,210.52



Ordinances

PURPOSE MEMO

TO: Mayor, City Council, City Administrator
FROM: Mark M. Walbran
DATE: September 19, 2023
RE: Amendment to Title XIII, Chapter 133, of the Ordinance Code to permit
an Archery Culling Event for Deer Management

Purpose:

Council consideration of the second/final reading of Proposed Ordinance 23-16.

Background:

At the regular Owatonna City Council Meeting on May 2, 2023, Council approved the 2023 Annual Deer Culling Event between the dates of 10/22/23 to 11/19/23 and from 11/20/23 to 12/17/23. This event will be a controlled archery culling event within designated areas in the City parks. To permit this event, as authorized by the DNR, it is necessary to amend City Ordinance Chapter 133, § 133.01 Weapons and Dangerous Devices to provide an additional exclusion to allow this event within city limits.

Council approved the first reading of this proposed ordinance during the September 5, 2023 Meeting and there have been no changes since.

Budget Impact:

None.

Recommendation:

Council and staff recommend adoption of this Ordinance.

Attachment:

Proposed Ordinance 23-16: Amend Chapter 133 for Archery Culling Event for Deer Management

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE XIII OF THE 2015 ORDINANCE CODE
OF THE CITY OF OWATONNA, AS AMENDED, BY AMENDING CHAPTER 133
ENTITLED "WEAPONS AND DANGEROUS DEVICES" TO PERMIT
AN ARCHERY CULLING EVENT FOR DEER MANAGEMENT.

THE CITY COUNCIL OF THE CITY OF OWATONNA DO ORDAIN:

Section 1. Title XIII of the 2015 Ordinance Code of the City of Owatonna, as amended, is hereby amended by amending § 133.02, to read as follows:

The discharge of firearms and other weapons as prohibited in § 133.01 of this chapter shall not apply to the persons set forth in divisions (A), (B), ~~and (C)~~, and (D) below:

§ 133.02 EXCLUSIONS.

(A) Persons duly authorized to act as law enforcement officers or members of the military forces of the United States or the state in the discharge of their duties;

(B) Persons engaged in archery, target or trap shooting on archery, target or trap shooting ranges approved as such by the Council; ~~and~~

(C) Persons acting in self-defense when the use of firearms for that purpose would not be unlawful under the laws of the state-; and

(D) Persons holding a valid City Hunting Permit for a controlled archery culling event for the Deer Management Plan sanctioned by The Minnesota Department of Natural Resources.

Section 2. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication. Passed and adopted this _____ day of _____, 2023, with the following roll call vote:

Aye:

No:

Absent:

Approved and signed this _____ day of _____, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk/Treasurer

UNDERLINING INDICATES NEW LANGUAGE. ~~STRIKEOUTS~~ INDICATE DELETIONS.



Community Development Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Greg Kruschke, Community Development Manager
SUBJECT: Second/Final Reading Proposed Ordinance 23-17: RZ-5 Rezone from B-2 to I-1 at 3745 Hoffman Drive

Purpose:

Hold the second/final reading of Proposed Ordinance 23-17 to consider rezoning Application No. RZ-5, by Cameron Peterson, Paul's Transports. This is a request to rezone the property from B-2, Community Business District to I-1, Light Industrial District, for the purpose of operating a trucking business out of the facility located at 3745 Hoffman Drive NW.

Background:

See Attached. The Planning Commission held a public hearing on this request and recommended approval. Council approved the first reading of this proposed ordinance during their September 5, 2023 meeting and there have been no changes since.

Budget Impact:

None.

Staff Recommendation:

Staff recommends approval of this Proposed Ordinance 23-17.

Attachments:

1. Ordinance 23-17 - RZ-5 at 3745 Hoffman Dr - Pauls Transport
2. RZ-5 Pauls Transport Staff Report

Proposed Ordinance No. 23-17
ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 157,
OWATONNA ZONING ORDINANCE

WHEREAS, the owner of the hereinafter described lands has made application for a change in zone classification for said lands and public hearing has been held according to the provisions of Section 157.098, of Ordinance No. 157, and the Planning Commission of the City of Owatonna has recommended the change in zone classification as requested.

THE CITY COUNCIL OF THE CITY OF OWATONNA DO ORDAIN:

SECTION 1. Ordinance No. 157, Zoning Ordinance, is hereby amended so that the zoning map that is thereby incorporated by reference shall be changed as follows:

1. Pursuant to Application No. RZ-5 filed with the City of Owatonna, Minnesota, to change the zone classification, and after public hearing, held August 22, 2023, said application is hereby approved and the zone classification is hereby changed from B-2, Community Business District to B-3, Central Business District for the following described property:

All that part of the Northeast Quarter of Section 7, Township 107 North, Range 20 West, described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence South 89 Degrees 45 Minutes West, assumed bearing, 1741 feet along the North Line of said Northeast Quarter to the True Point of Beginning; thence South 0 Degrees 15 Minutes East 330 feet; thence South 89 Degrees 45 Minutes West 180 feet; thence North 0 Degrees 15 minutes West 330 feet to the North Line of said Northeast Quarter; thence North 89 Degrees 45 Minutes East 180 feet to said True Point of Beginning; Subject to an easement for ingress and egress over the West 30 feet as more fully described in the certain Agreement dated August 30, 1983, filed September 7, 1983, as Document No. 187850 in the Office of the Steele County Recorder.

SECTION 2. Effective Date. This ordinance shall be in full force and effect from and after its passage and publication.

Passed and adopted this _____ day of _____, 2023, with the following roll call vote:

Aye:

No:

Absent:

Approved and signed this _____ day of _____, 2023.

ATTEST:

Thomas A. Kuntz, Mayor

Kris M. Busse, City Administrator/City Clerk

August 17, 2023

To: Planning Commission

From: Community Development Department

RE: Application No. RZ-5, by Cameron Peterson, Paul's Transports, a request to rezone property from B-2, Community Business District to I-1, Light Industrial District for the purpose of operating a trucking business out of the facility located at 3745 Hoffman Drive NW.

Application Review:

Applicant/Owner: Cameron Peterson

Legal Description: Part of the NE ¼ of Section 7, T107N, R20W

Existing Zoning: B-2, Community Business District

Existing Land Use: The property was most recently occupied by a contractor's office / flooring store

Adjacent Zoning & Land Uses: North: Ag, In the County

South: B-2, Community Business District / Contractor

East: B-2, Community Business District / Contractor

West: B-2, Community Business District / SF house

Report Attachments:

1. Application Materials
2. Location Maps

Proposed Development:

- ◆ Application No. RZ-5, by Cameron Peterson, Paul's Transports, a request to rezone property from B-2, Community Business District to I-1, Light Industrial District for the purpose of operating a trucking business out of the facility located at 3745 Hoffman Drive NW.
- ◆ The applicant purchased the property recently and desires to operate the business there.
- ◆ Staff was made aware of this business through a complaint on some of the grading activities that they started.
- ◆ Upon inspection and discussion on the use the applicant was told that they need to rezone the property in order for a trucking terminal to be located on the property.
- ◆ The primary building will not meet setbacks upon rezoning. The front setback is approximately 30' where 50' would be required, the rear setback is approximately 150' and the closest side setback is 12' where 30' would be required in the I-1 district.
- ◆ It is important to note that the setbacks will cause the building to be non-conforming if the property is rezoned.

- ◆ The primary building has previously been used as an office / showroom for the previous owners flooring store. The property also has two accessory buildings. These buildings will meet setbacks.
- ◆ Although a number of these properties are zoned B-2, they have started converting towards other uses over the past few years.
- ◆ It is important to note that this property is not permitted to be occupied residentially. Staff has had a complaint about people living in the building and an RV that is located on the property. This is not permitted in either zoning district.
- ◆ The Owatonna Development Plan identifies this property as well as all of the surrounding properties as Industrial.
- ◆ The proposed rezoning meets the intent of the Owatonna Development Plan.
- ◆ Property is rezoned to a legal description. With that being said, it is important for the property owner to identify their property lines to ensure they know what they own.

Staff Review:

Staff feels that the proposed rezoning would fit in with the surroundings and the desired use of this property as designated within the Owatonna Development Plan. Staff is recommending approval of the rezoning property to I-1, Light Industrial District from B-2, Community Business District.

Planning Commission:

Application No. RZ-5, which is a request by Cameron Peterson, Paul's Transports, to rezone property from B-2, Community Business District, to I-1, Light Industrial District, for the purpose of operating a trucking business out of the facility located at 3745 Hoffman Drive NW, was presented by Community Development Manager Greg Kruschke. (Refer to report on file.) Public hearing opened at 5:34 pm. Cameron Peterson, the applicant, addressed the concern about people living there. They do have their own RV parked on the property, but no one is living there. Kurt Welker, owner of the property directly to the south at 3750 9th Street NW, said that he took a look at the zoning application. He's not opposed to a trucking company going in there, but he said a lot of the exhibits in the application are not really correct or factual. If you look at the back page, it says there is 65 feet between the accessory building and his property, but that's actually about 56 feet. As Greg noted, they are required to determine property boundaries. When they started grading, they determined the property boundaries using the county photometrics—which is close, but not correct—instead of finding corner pins. So they painted a line on the grass where they thought their property was, but it was 5 feet into his property, and they continued to grade another 15 feet past that line. So they are way past their property lines in their grading. He did point out corner stakes, but their silt fence is still 5 feet on his property. The water flow shown the back page shows that most of the water flows would go to the ditch on Crane Creek Road, which is incorrect. He has a drawing with the contours. Water predominantly flows perpendicular to the contour lines, which predominantly run north/south and east/west behind the building. Most of that site either flows to west past the home that's adjacent to it, to a swale between that home and the Retrofit building, and then south to his property and Jack's Nursery. The rest of it predominantly flows south to his property. They're proposing 15,000 square feet of impervious surface. Because this was subdivided prior to requirements for subdivision, there are

not retention or detention treatment requirements for stormwater, but an inch of rain will dump about 10,000 gallons onto his property. He's in conversations with a tenant / buyer to develop additional portions of his property, which creates additional work for him. He said he would like the board to require the exhibits be correct with dimensions and water flows before they approve the rezoning. He said he is not an engineer, but he does understand water flows and drainage. He would rather not have to deal with other people's drainage, and would like to see things correct on an application like he would try to do on an application he was submitting. Public hearing closed at 5:39 pm. Kruschke said as it comes down to the drawings and application materials, they only require a concept drawing and legal description for a rezoning. But as they get into stormwater and grading permits and building permits, then they are required to be accurate. He said he doesn't have any concern with the materials provided. They've approved other rezonings in which they've gotten less materials on. The City is granted purview just to rezone property as they wish without any materials, just a legal description. He doesn't have any concerns legally with how all of that is handled. It will be addressed through the permitting process. Eickhoff asked where the applicant is at on the permitting side of things. Kruschke said that building inspections had required an architect to look at the building due to the change of use and they have applied for a grading permit. Before a grading permit can be issued, he would have to sign off on it. He wouldn't sign off on it if it doesn't meet zoning. He will check back in on that. Meier said essentially we have to approve the zoning to get to approving the grading. Kruschke said in this case yes, they can run parallel tracks. The permits have no bearing on the rezoning request. Cameron Peterson said that they did submit an application for a grading permit, and it was brought to their attention that it has to be rezoned before they can move on with it. A motion was made by Eickhoff and seconded by Effertz to recommend City Council approval of this rezoning to I-1, Light Industrial, from B-2, Community Business District. All Commissioners voting Aye, the motion carried.

3745 HOFFMAN DR NW
City of Owatonna

PIN: 17-007-1402
Acres: 1.08 ac.



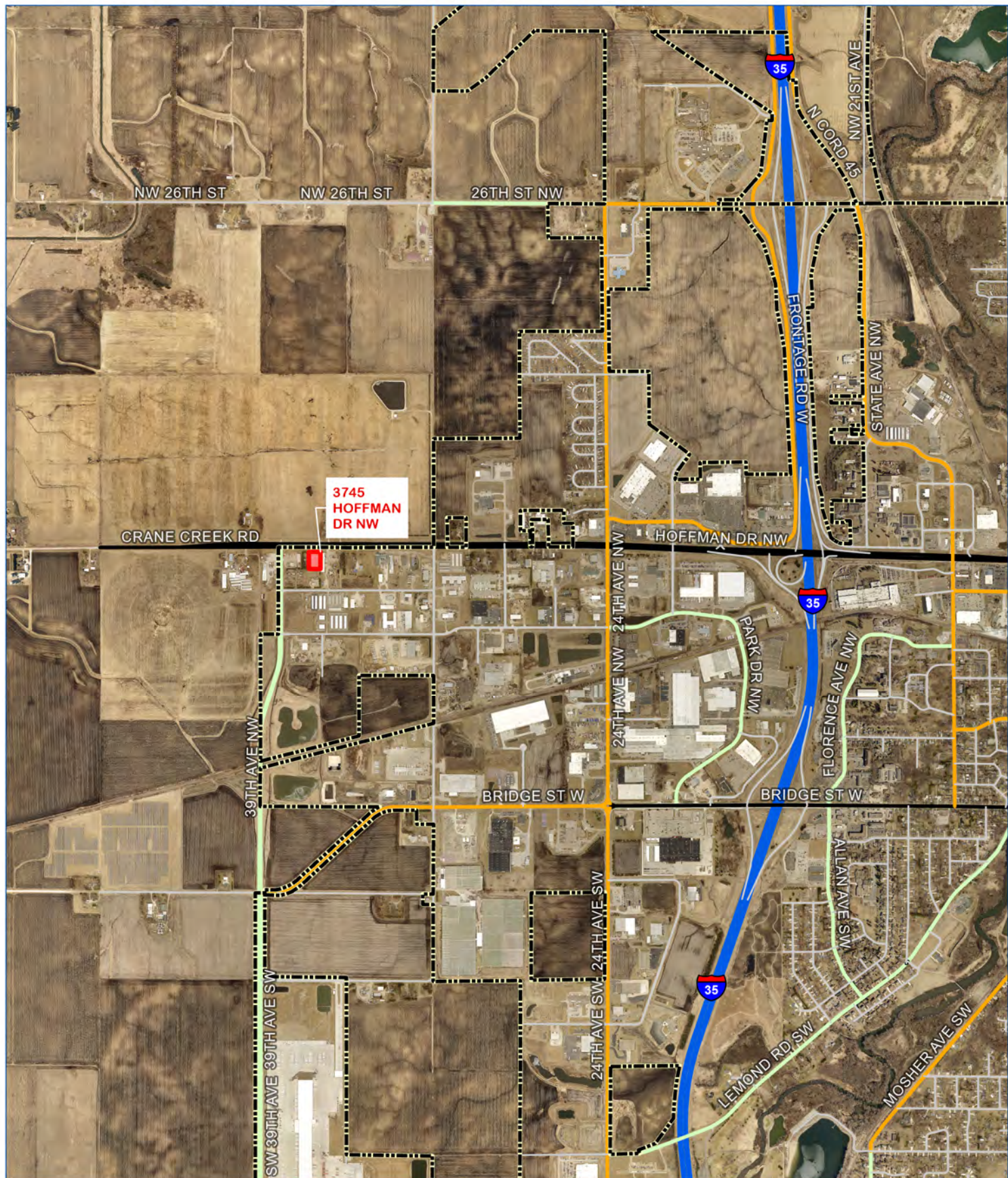
1:1,200

0 50 100 Feet

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This information is a compilation of records, information, and data located in various city, county, and state offices and other sources, affecting the area shown, and is to be used for reference purposes only. The property dimensions are based on the parcel gis data. The Water, Gas, and Electric Systems were provided by Owatonna Public Utilities.

Site Location

City of Owatonna



Site

 Municipal Limits

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This information is a compilation of records, information, and data located in various city, county, and state offices and other sources, affecting the area shown, and is to be used for reference purposes only.

August 08, 2023

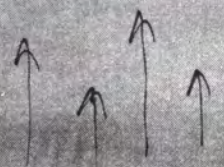
N

Gravel



(Currently All Gravel)

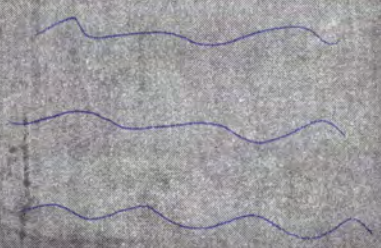
Set location



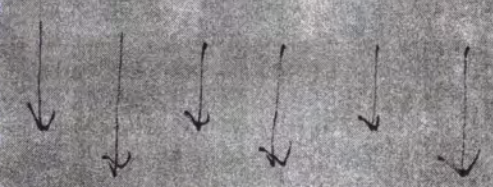
Waterflow

17-007-1402

Gravel



Water Flow



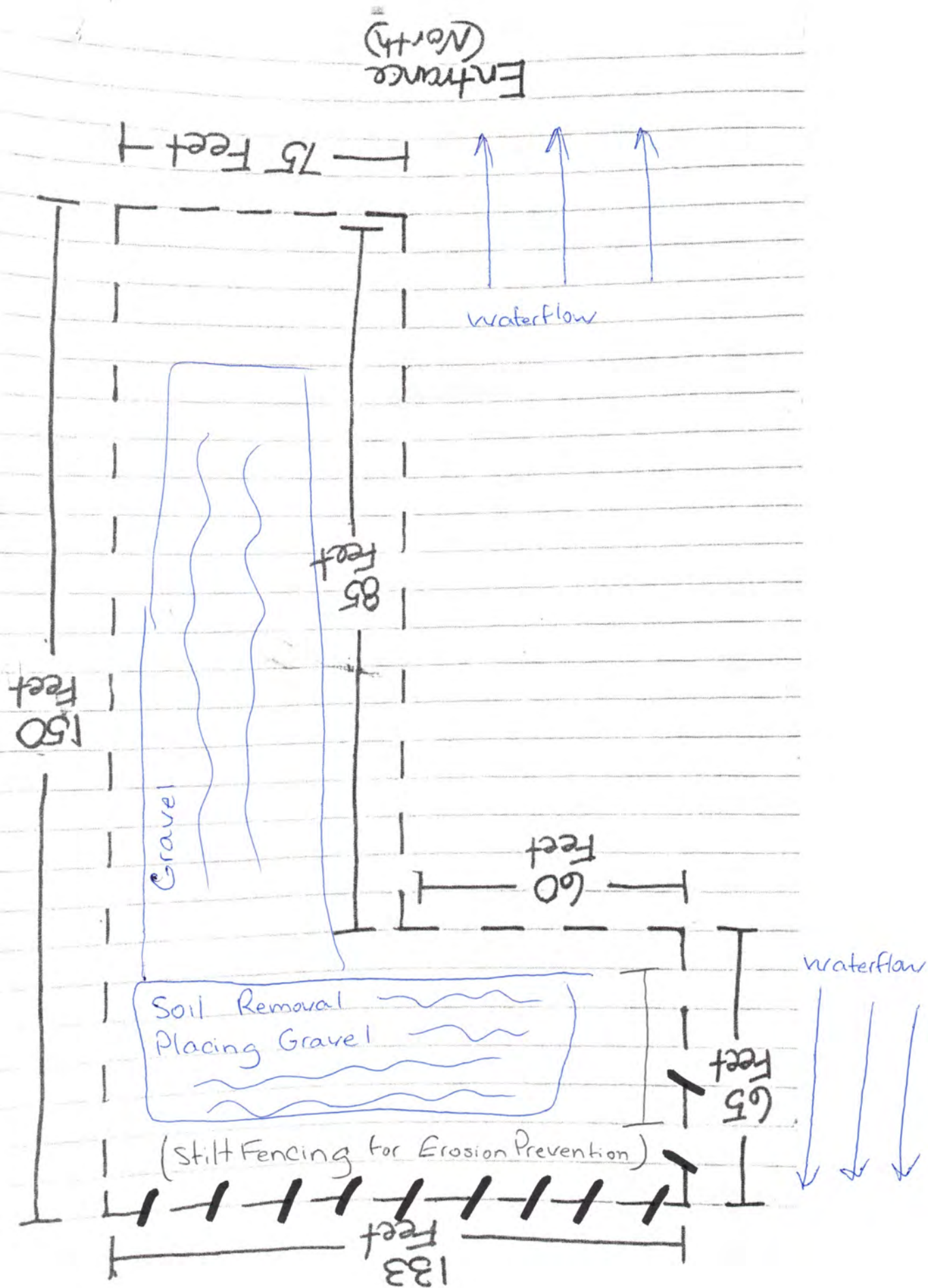
Gravel



(Stilt Fencing)

17-485-0203

S (stilt Fencing)





Community Development Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Greg Kruschke, Community Development Manager
SUBJECT: First Reading Proposed Ordinance 23-18: RZ-6 Steele County Rezoning Request from B-2 to B-3 at 121 Mill Street East

Purpose:

Hold first reading of the ordinance on Application No. RZ-6, Allison Timmins, Wold Architects, on behalf of Steele County, a request to rezone the subject property from B-2, Community Commercial District to B-3, Central Business District for the purposes of constructing a new Community Corrections building for the property located at 121 Mill Street East.

Background:

See Attached Staff Report.

Please note that the applicant has submitted revised building elevations showing a stucco building. These were presented at the Planning Commission as well and have been included in this packet.

Budget Impact:

None.

Staff Recommendation:

Staff recommends approval of the first reading of Application No. RZ-6, Allison Timmins, Wold Architects, on behalf of Steele County, a request to rezone the subject property from B-2, Community Commercial District to B-3, Central Business District for the purposes of constructing a new Community Corrections building for the property located at 121 Mill Street East as recommended by the Planning Commission.

Attachments:

1. RZ-6 Steele County Rezoning Ordinance
2. RZ-6 Steele County Mill Street Rezoning Staff Report
3. Revised Elevations

Proposed Ordinance No.
ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 157,
OWATONNA ZONING ORDINANCE

WHEREAS, the owner of the hereinafter described lands has made application for a change in zone classification for said lands and public hearing has been held according to the provisions of Section 157.098, of Ordinance No. 157, and the Planning Commission of the City of Owatonna has recommended the change in zone classification as requested.

THE CITY COUNCIL OF THE CITY OF OWATONNA DO ORDAIN:

SECTION 1. Ordinance No. 157, Zoning Ordinance, is hereby amended so that the zoning map that is thereby incorporated by reference shall be changed as follows:

1. Pursuant to Application No. RZ-6 filed with the City of Owatonna, Minnesota, to change the zone classification, and after public hearing, held September 12, 2023, said application is hereby approved and the zone classification is hereby changed from B-2, Community Business District to B-3, Central Business District for the following described property:

Lots 1, 2, and 3, Block 16, in the Town (now City) of Owatonna, Steele County, Minnesota. And Lot 4, Block 16, in the Town (now City) of Owatonna, Steele County, Minnesota.

SECTION 2. Effective Date. This ordinance shall be in full force and effect from and after its passage and publication.

Passed and adopted this _____ day of _____, 2023, with the following vote: Aye ____; No ____;

Absent ____ Approved and signed this _____ day of _____, 2023.

ATTEST:

Thomas A. Kuntz, Mayor

Kris M. Busse, City Administrator/City Clerk

September 8, 2023

To: Planning Commission

From: Community Development Department

RE: Application No. RZ-6, Allison Timmins, Wold Architects, on behalf of Steele County, a request to rezone the subject property from B-2, Community Commercial District to B-3, Central Business District for the purposes of constructing a new Community Corrections building for the property located at 121 Mill Street East.

Application Review:

Applicant: Wold Architects

Owner: Steele County

Legal Description: Lots 3&4, Block 16, Original Town

Existing Zoning: B-2, Community Business District

Existing Land Use: The property is currently vacant.

Adjacent Zoning & Land Uses: North: Commercial Use zoned B-3

South: Commercial Use zoned B-3

East: Parking Lot zoned B-2, Community Business District

West: Commercial Use zoned B-3

Report Attachments:

1. Application Materials
2. Location Maps

Proposed Development:

- ◆ Application No. RZ-6, Allison Timmins, Wold Architects, on behalf of Steele County, a request to rezone the subject property from B-2, Community Commercial District to B-3, Central Business District for the purposes of constructing a new Community Corrections building for the property located at 121 Mill Street East.
- ◆ The County is proposing to rezone the property in order to construct an 8900 square foot structure to house the Community Corrections operations for the City.
- ◆ The County would like to use the 0' setbacks that are allotted for within the B-3 zoning district. If the property were to stay B-2, they would need to provide a 30' front and rear setback.
- ◆ Although the City does not have building elevation requirements, it has been an expectation that buildings within this zoning district will be constructed to tie in architecturally with the more historic buildings in this area.

- ◆ Preliminary elevations for this building do cause some concern as to how this building will fit into this zoning district architecturally.
- ◆ Buildings within this zoning district typically have some sort of masonry exterior in addition to front windows and a front entrance. The proposed elevations do not necessarily meet these typical items we see within the B-3 buildings.
- ◆ The proposed building will need to go through all permit approvals prior to commencing construction.
- ◆ Staff feels the proposed rezoning does make sense for this area and is in the best interest of the City. However, we would like to see the architectural appearance brought closer to the surrounding area and the B-3 District as a whole.

Staff Review:

Staff feels that the proposed overlay rezoning would fit in with the surroundings and the desired use of this property as designated within the Owatonna Development Plan. Staff is recommending approval of the rezoning property from B-2, Community Business District to B-3, Central Business District. Staff further requests that the applicant review the architectural appearance of the building prior to applying for a building permit to more closely tie in with the B-3 Zoning District and the neighboring structures.

Planning Commission:

Application No. RZ-6, which is a request by Allison Timmins, Wold Architects, on behalf of Steele County, to rezone property from B-2, Community Business District, to B-3, Central Business District, for the purposes of constructing a new Community Corrections building for the property located at 121 Mill Street East, was presented by Community Development Manager Greg Kruschke. (Refer to report on file.)

Preliminary Plat of Cedar Mill Addition, which is an 0.84± acre tract of land to be rezoned B-3, Central Business District, owned by Steele County and located at 121 Mill Street East, was presented by Community Development Manager Greg Kruschke. (Refer to report on file.)

Kruschke said staff has had three calls on the notices. The majority of the concerns were “What is this?” as the notice said Community Corrections. He said this isn’t a new use downtown. They never knew it was there. The second concern was about how it will fit into the neighborhood and staff has addressed those issues.

Public hearing for both requests opened at 5:40 pm. Brian Erickson, General Manager of Physical Services at Federated Insurance, was present representing Federated Insurance. He said they don’t have any issues with occupancy, plat, or zoning, but would like to echo the City’s comments about the exterior finish and appearance of the proposed building. He said they think it would be better if it has more of an office / retail / professional exterior appearance rather than the original proposed steel industrial look. Having buildings and owing property adjacent to that is one of their concerns in terms of the neighborhood. Also, having participated in the Owatonna Forward and Owatonna revitalization projects, Federated wouldn’t want to see the appearance

downtown take a step backwards after all the progress that's been made. Public hearing closed at 5:42 pm. Nick Peake said he agrees about the steel siding. You wouldn't be able to build an outbuilding for your house that way on your residential lot, let alone a building downtown, so he doesn't think that's appropriate. Even the stucco is kind of a copout. You'd need some sort of brick, at least on the major side of it. Besides that, the rest of it makes sense. Meier asked what can be done on our end? Can we require a more fitting structure? Kruschke said, within the findings of a rezoning, you get into that it could be a negative impact to the neighborhood. As you get into the finish of the building, and legally speaking it may be tough to do that. He said that steps can be taken, though. The City doesn't have elevation standards, and hasn't done that in the downtown area. When you start to get into historic preservation, it can get very nitpicky on where to go. The City has taken the position that people will do the right thing and have worked with others on that. They've had that conversation here, and they've been working on that already. They still have to go through bid process and put the plans together. There is a review the MainStreet Design Committee does. They ask that applicants try to meet the intent and character of the B-3. Kruschke said that Jacob and his team have been looking at things already and are taking the comments in tonight. This is the first step of many as they go forward.

A motion was made by Effertz and seconded by Wilson to recommend City Council approval of this rezoning from B-2, Community Business District, to B-3, Central Business District. All Commissioners voting Aye, the motion carried.

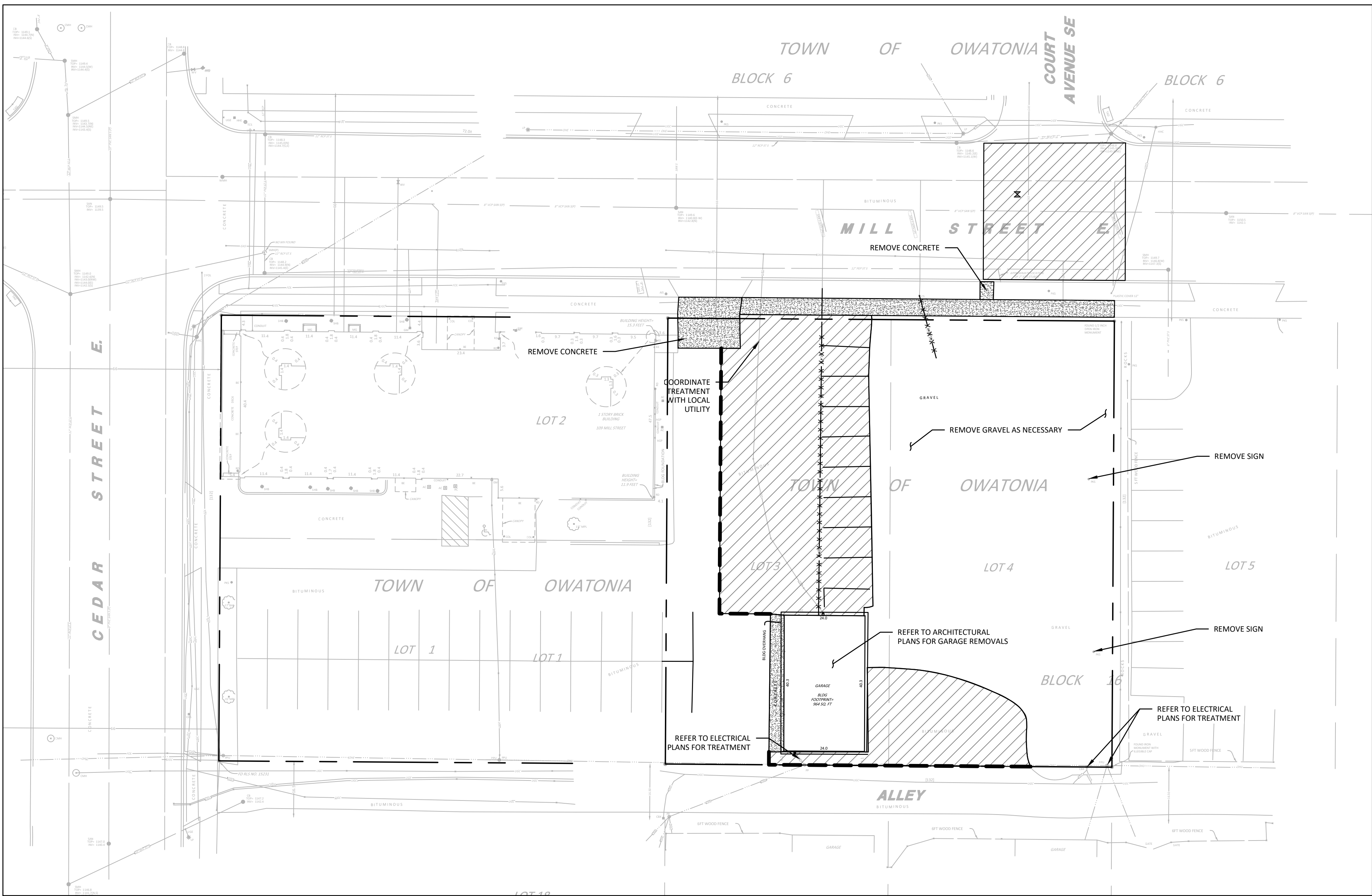
A motion was made by Eickhoff and seconded by Wilson to recommend City Council approval of this preliminary plat with the following conditions:

- 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) The plat shall be contingent upon the rezoning request.
- 4) All unused water and sewer services shall be disconnected at the main.
- 5) All comments of the City Engineers Memo shall be adhered to.

All Commissioners voting Aye, the motion carried.

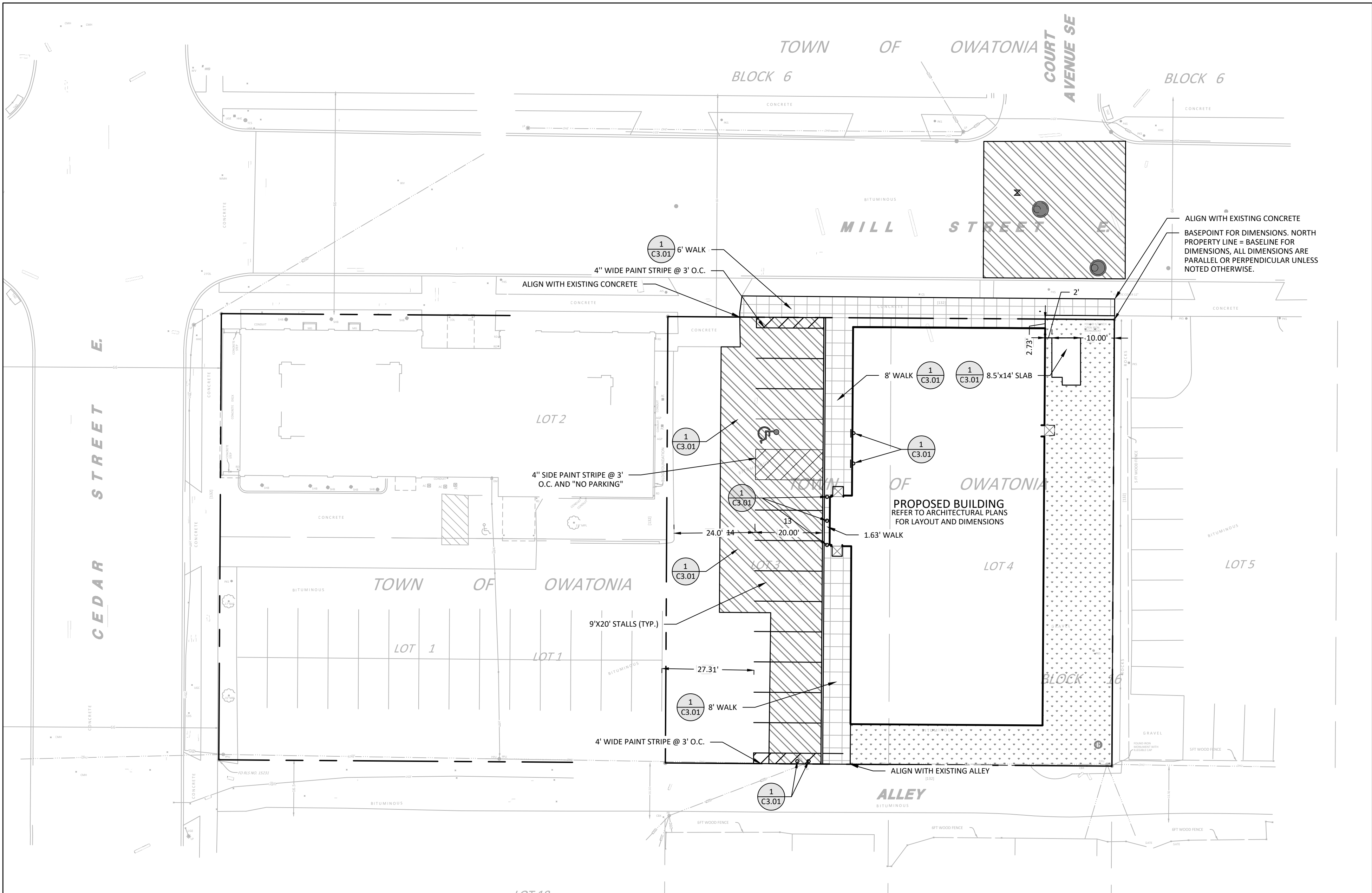
MN

C



1 REMOVALS PLAN

1" = 20'



2 FINISHING PLAN

1" = 20'

LEGEND

- REFERENCE KEY TO SITE DETAILS
DETAIL I.D. NUMBER (TOP)
DETAIL SHEET NUMBER (BOTTOM)
- CONCRETE CURB AND GUTTER REMOVALS
- UNDERGROUND UTILITY REMOVALS
- CONCRETE PAVEMENT REMOVALS
- ASPHALT PAVEMENT REMOVALS
- GRAVEL SURFACE REMOVALS
- FENCING REMOVALS
- SAWCUT
- PROPOSED CONCRETE WALK
- PROPOSED CONCRETE SLAB
- PROPOSED ASPHALT PAVEMENT
- PROPOSED TRAFFIC CONTROL SIGN
- PROPOSED BOLLARD
- PROPOSED ACCESSIBLE SYMBOL
- PROPOSED MANHOLE (MH)
- PROPOSED CATCH BASIN (CB)
- PROPOSED GATE VALVE (GV)
- PROPOSED FLAG POLE
- PROPOSED BUILDING STOOP - REFER TO ARCHITECTURAL PLANS
- PROPOSED LIGHT POLE - REFER TO ELECTRICAL PLANS
- PROPERTY LINE

NOTES

- REFER TO SHEET CXXX, XXXXXX, FOR GENERAL NOTES.
- MINIMIZE DISTURBANCE TO SITE AND PROTECT EXISTING VEGETATION AND SITE FEATURES (CURBS, WALKS, PAVEMENTS, OVERHEAD AND UNDERGROUND UTILITIES, SIGNAGE, FENCING, ROADWAYS, ETC.) WHICH ARE TO REMAIN.
- REPAIR OR REPLACE EXISTING PROPERTY AND SITE FEATURES, INCLUDING GRASS AND VEGETATION, WHICH IS TO REMAIN THAT IS DAMAGED BY THE WORK, TO THE OWNER'S SATISFACTION AND AT NO ADDITIONAL COST TO THE OWNER.
- VISIT THE SITE PRIOR TO BIDDING; BE FAMILIAR WITH ACTUAL CONDITIONS IN THE FIELD. EXTRA COMPENSATION WILL NOT BE ALLOWED FOR CONDITIONS WHICH COULD HAVE BEEN DETERMINED OR ANTICIPATED BY EXAMINATION OF THE SITE, THE CONTRACT DRAWINGS AND THE INFORMATION AVAILABLE PERTAINING TO EXISTING SOILS, UTILITIES AND OTHER SITE CHARACTERISTICS.
- THE SERVICES OF A UTILITY LOCATOR COMPANY TO LOCATE ALL PRIVATELY OWNED UTILITIES THAT MAY BE DISTURBED BY CONSTRUCTION OPERATIONS.
- MAINTAIN DRAINAGE FROM EXISTING BUILDING AT ALL TIMES. PROVIDE TEMPORARY STORM SEWER, INCLUDING, BUT NOT LIMITED TO, CATCH BASINS, MANHOLES, PIPING, AND SIMILAR. DO NOT REMOVE EXISTING STORM SEWER UNTIL TEMPORARY OR PERMANENT STORM SEWER IS INSTALLED AND FUNCTIONAL. COORDINATE ALL REMOVALS WITH APPROPRIATE TRADES (SITE UTILITY CONTRACTOR, MECHANICAL CONTRACTOR, ETC.) AS REQUIRED.
- CHECK ALL PLAN AND DETAIL DIMENSIONS AND VERIFY SAME BEFORE FIELD LAYOUT.
- INSTALL TRAFFIC CONTROL SIGNS APPROXIMATELY 18 INCHES BEHIND BACK OF CURB.
- ALL DISTURBED AREAS OUTSIDE THE BUILDING PAD, WHICH ARE NOT DESIGNATED TO BE PAVED OR RECEIVE AGULME, SHALL RECEIVE AT LEAST 6" OF TOPSOIL AND SHALL BE SODDED OR SEEDED. ALL AREAS NOT DESIGNATED FOR SOD OR A SPECIFIC SEED MIX, WHICH ARE DISTURBED BY CONSTRUCTION, SHALL BE SEEDED WITH SEED MIX #1.
- WHERE NEW SOD MEETS EXISTING SOD, CUT A CLEAN, SHARP EDGE TO ALLOW FOR A CONSISTENT, UNIFORM, AND STRAIGHT JOINT BETWEEN NEW SOD AND EXISTING TURFGRASS. JAGGED OR UNEVEN JOINTS WILL NOT BE ACCEPTED. REMOVE TOPSOIL AT THE JOINT BETWEEN NEW SOD AND EXISTING TURFGRASS, AS REQUIRED, TO ALLOW NEW SOD SURFACE TO BE FLUSH WITH EXISTING TURFGRASS SURFACE.
- FAILURE OF TURF DEVELOPMENT: IN THE EVENT THE CONTRACTOR FAILS TO PROVIDE AN ACCEPTABLE TURF, RE-SOD OR RE-SEED ALL APPLICABLE AREAS, AT NO ADDITIONAL COST TO THE OWNER, TO THE SATISFACTION OF THE ENGINEER OR LANDSCAPE ARCHITECT.

NEW CC FACILITY

121 MILL STREET E
OWATONNA, MN 55060

STEELE COUNTY
630 FLORENCE AVENUE
OWATONNA, MN 55060



WOLD ARCHITECTS
AND ENGINEERS
332 Minnesota Street, Suite W2000
Saint Paul, MN 55101

woldac.com | 651 227 7773



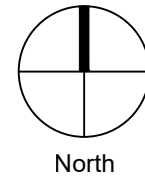
7575 GOLDEN VALLEY ROAD, SUITE 200
GOLDEN VALLEY, MINNESOTA 55427
Phone: (763) 544-7229
Email: goldenvalley@bolton-menk.com
www.bolton-menk.com

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed
ENGINEER
under the laws of the State of MINNESOTA

DAVID A. REY
Registration Number 40180 Date XX/XX/XX

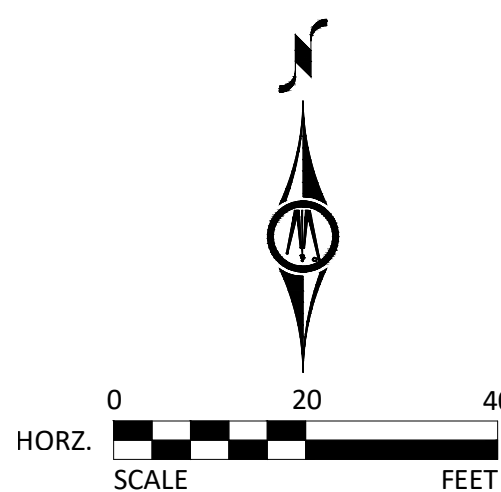
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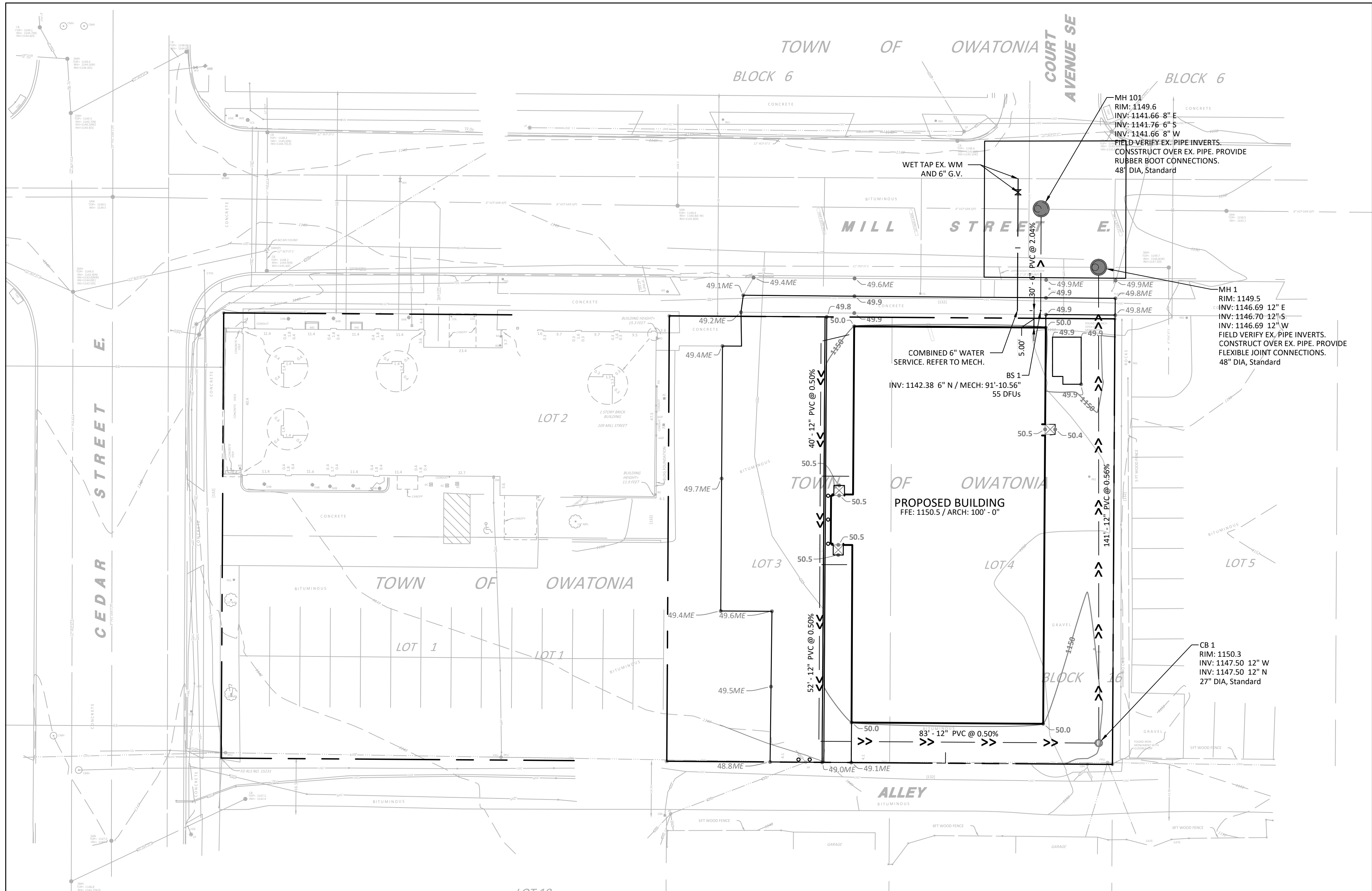
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REMOVALS AND FINISHING PLAN

C2.01





UTILITY & EROSION CONTROL PLAN

 $1'' = 2$

BUILDING PAD SOIL CORRECTION QUANTITY

BENCHMARKS (FIELD VERIFY BEFORE USING)

(NAVD 88)

- REFERENCE KEY TO SITE DETAILS
 DETAIL I.D. NUMBER (TOP)
 DETAIL SHEET NUMBER (BOTTOM)

EXISTING CONTOUR

EXISTING SPOT ELEVATION

PROPOSED CONTOUR

PROPOSED SPOT ELEVATION
 ME = MATCH EXISTING
 TC = TOP OF CURB

PROPOSED GRADING LIMITS

APPROXIMATE SOIL BORING

PROPOSED MANHOLE (MH) 

PROPOSED CATCH BASIN (CB) 

PROPOSED GATE VALVE (GV) 

PROPOSED SANITARY SEWER 

PROPOSED STORM SEWER 

PROPOSED WATERMAIN 

PROPOSED DRAINILE / FINGER DRAIN 

PROVIDE MINIMUM 18" VERTICAL SEPARATION AT CP
 VERTICAL BENDS IN WATERMAIN AS REQUIRED TO AC
 CENTER ONE LENGTH WATERMAIN PIPE ON CROSSING

CONNECT DRAINILE TO STRUCTURE AND PROVIDE BA

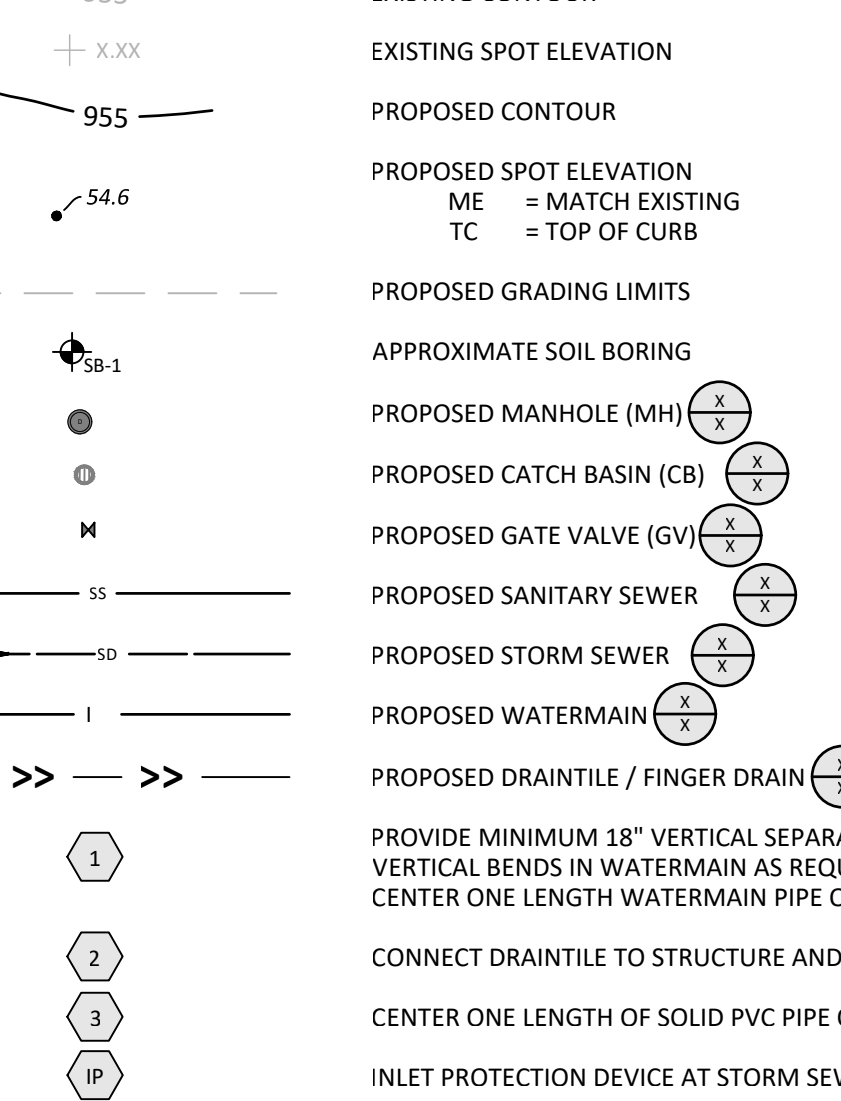
CENTER ONE LENGTH OF SOLID PVC PIPE ON WATERM

INLET PROTECTION DEVICE AT STORM SEWER INLET

SEDIMENT CONTROL LOGS

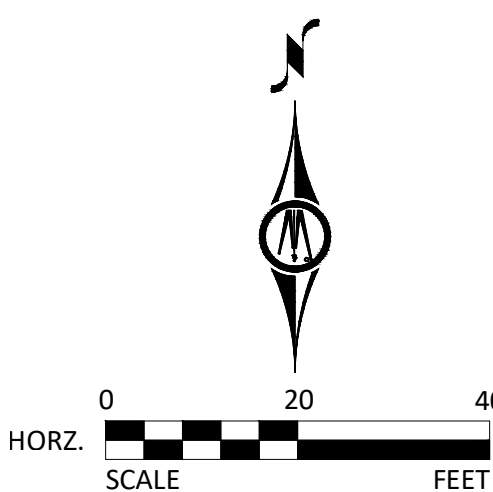
PROPOSED STOOP - REFER TO ARCHITECTURAL PLANS

PROPERTY LINE



GENERAL NOTES

3. ALL CONSTRUCTION SHALL COMPLY WITH APPLICABLE STATE AND LOCAL ORDINANCES.
4. THE CONTRACTOR WILL BE RESPONSIBLE FOR AND SHALL PAY FOR ALL CONSTRUCTION STAKING / LAYOUT.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRAFFIC CONTROL SIGNAGE (CONSTRUCTION ZONES) NECESSARY TO CONSTRUCT PROPOSED IMPROVEMENTS. ALL SIGNAGE LAYOUTS MUST BE DESIGNED BY THE CONTRACTOR AND APPROVED BY LOCAL AUTHORITIES.
6. INSTALL CONTROL FENCING AND BARRICADING AS NECESSARY TO PROTECT THE PUBLIC.
7. INSPECT SITE AND REVIEW SOIL BORINGS TO DETERMINE EXTENT OF WORK AND NATURE OF MATERIALS TO BE HANDLED.
8. REFER TO SPECIFICATIONS FOR DEWATERING REQUIREMENTS.
9. CHECK ALL PLAN AND DETAIL DIMENSIONS AND VERIFY SAME BEFORE FIELD LAYOUT.
10. REFER TO ARCHITECTURAL PLANS FOR BUILDING AND STOOP DIMENSIONS AND LAYOUT.
11. MAINTAIN ADJACENT PROPERTY AND PUBLIC STREETS CLEAN FROM CONSTRUCTION CAUSED DIRT AND DEBRIS ON A DAILY BASIS. PROTECT DRAINAGE SYSTEMS FROM SEDIMENTATION AS A RESULT OF CONSTRUCTION RELATED DIRT AND DEBRIS.
12. MAINTAIN DUST CONTROL DURING GRADING OPERATIONS.
13. ALL EROSION CONTROL METHODS SHALL COMPLY WITH MPCA AND LOCAL REGULATIONS.
14. IF EROSION AND SEDIMENT CONTROL MEASURES TAKEN ARE NOT ADEQUATE AND RESULT IN DOWNSTREAM SEDIMENTATION, CLEAN OUT DOWNSTREAM STORM SEWERS AND OTHER CONVEYANCE DEVICES AS NECESSARY, INCLUDING ASSOCIATED RESTORATION.
15. INLET PROTECTION DEVICE AT STORM SEWER INLETS. AT THE INLETS TO ALL STORM SEWER STRUCTURES, PROVIDE A PRODUCT FROM THE FOLLOWING LIST OF APPROVED PRODUCTS:
 - a. ROAD DRAIN "TOP SLAB", MANUFACTURED BY WIMCO
 - b. ROAD DRAIN "CURB & GUTTER", MANUFACTURED BY WIMCO
 - c. INFRASAFE "SEDIMENT CONTROL BARRIER", MANUFACTURED BY ROYAL ENVIRONMENTAL SYSTEMS, INC.
 - d. INFRASAFE "DEBRIS COLLECTION DEVICE", MANUFACTURED BY ROYAL ENVIRONMENTAL SYSTEMS, INC.
 - e. INFRASAFE "CULVERT INLET PROTECTOR", MANUFACTURED BY ROYAL ENVIRONMENTAL SYSTEMS, INC.
 - f. DANDY SACK, MANUFACTURED BY DANDY PRODUCTS, INC.
 - g. DANDY CURB SACK, MANUFACTURED BY DANDY PRODUCTS, INC.
 - h. OR APPROVED EQUIVAL.
16. PRIOR TO CONSTRUCTION, DELINEATE TURF AND VEGETATED AREAS NOT TO BE DISTURBED WITH ORANGE SNOW FENCE. DO NOT ALLOW CONSTRUCTION TRAFFIC, EQUIPMENT, OR MATERIALS TO UTILIZE, ACCESS, OR OTHERWISE ENTER THE DELINEATED AREAS. MINIMIZE SOIL COMPACTION AND DISRUPTION OF TOPSOIL IN AREAS OUTSIDE THE CONSTRUCTION LIMITS TO COMPLY WITH THE MN CONSTRUCTION STORMWATER PERMIT.
17. MINIMIZE DISTURBANCE TO SITE AND PROTECT EXISTING SITE FEATURES (INCLUDING TURF AND VEGETATION) WHICH ARE TO REMAIN.
18. PROPOSED CONTOURS AND SPOT ELEVATIONS ARE SHOWN TO FINISH GRADE UNLESS OTHERWISE NOTED.
19. PROPOSED ELEVATIONS SHOWN TYPICALLY AS 48.1 OR 48 SHALL BE UNDERSTOOD TO MEAN 1148.1 OR 1148.
20. SPOT ELEVATIONS SHOWN IN PARKING LOTS, DRIVES AND ROADS INDICATE GUTTER GRADES, UNLESS NOTED OTHERWISE. SPOT ELEVATIONS WITH LABELS OUTSIDE THE BUILDING PERIMETER INDICATE PROPOSED GRADES OUTSIDE THE BUILDING. SPOT ELEVATIONS WITH LABELS INSIDE THE BUILDING PERIMETER INDICATE PROPOSED FINISH FLOOR ELEVATIONS.
21. THE CONTRACTOR WILL BE SOLELY RESPONSIBLE FOR DETERMINING QUANTITIES OF CUT, FILL AND WASTE MATERIALS TO BE HANDLED, AND FOR AMOUNT OF GRADING TO BE DONE IN ORDER TO COMPLETELY PERFORM ALL WORK INDICATED ON THE DRAWINGS. IMPORT SUITABLE MATERIAL AND EXPORT UNSUITABLE / EXCESS / WASTE MATERIAL, AS REQUIRED, AT NO ADDITIONAL COST TO THE OWNER.
22. IT IS INTENDED THAT EARTHWORK (CUT VS. FILL) BECOME ON SITE. SUBMIT THE QUANTITY OF MATERIAL AND AMOUNT OF ANTICIPATED GRADE ADJUSTMENT FOR REVIEW BY THE ENGINEER A MINIMUM OF FOUR WEEKDAYS PRIOR TO MAKING ADJUSTMENTS. ALL GRADE ADJUSTMENTS MUST BE APPROVED BY THE ENGINEER. NO ADDITIONAL COMPENSATION WILL BE ALLOWED FOR WORK ASSOCIATED WITH GRADING ADJUSTMENTS, INCLUDING, BUT NOT LIMITED TO, EARTHWORK OPERATIONS, STORM SEWER PIPING AND STRUCTURE ADJUSTMENTS, CONSTRUCTION SURVEYING FOR ADJUSTING FEATURE LOCATIONS ACCORDINGLY, SILT FENCE, ETC.
23. NO FINISHED SLOPES SHALL EXCEED 4' HORIZONTAL TO 1' VERTICAL (4:1), UNLESS OTHERWISE NOTED.
24. ALL DISTURBED AREAS OUTSIDE THE BUILDING PAD, WHICH ARE NOT DESIGNATED TO BE PAVED OR RECEIVE AGULME, SHALL RECEIVE AT LEAST 6" OF TOPSOIL AND SHALL BE SODDED OR SEEDDED. REFER TO LANDSCAPING PLANS FOR SOD AND SEED LOCATIONS. ALL AREAS NOT DESIGNATED FOR SOD OR A SPECIFIC SEED MIX, WHICH ARE DISTURBED BY CONSTRUCTION, SHALL BE SEEDDED WITH SEED MIX #1.
25. WHERE NEW SOD MEETS EXISTING SOD, CUT A CLEAN, SHARP EDGE TO ALLOW FOR A CONSISTENT, UNIFORM, AND STRAIGHT JOINT BETWEEN NEW SOD AND EXISTING TURFGRASS. JAGGED OR UNEVEN JOINTS WILL NOT BE ACCEPTED. REPAIR JOINTS AT THE JOINT BETWEEN NEW SOD AND EXISTING TURFGRASS, AS REQUIRED, TO ALLOW NEW SOD SURFACE TO BE FLUSH WITH EXISTING TURFGRASS SURFACE.
26. FAILURE OF TURF DEVELOPMENT: IN THE EVENT THE CONTRACTOR FAILS TO PROVIDE AN ACCEPTABLE TURF, RE-SEED OR RE-SOD ALL APPLICABLE AREAS, AT NO ADDITIONAL COST TO THE OWNER, TO THE SATISFACTION OF THE ENGINEER OR LANDSCAPE ARCHITECT.
27. ALL WATERMAIN PIPE SHALL BE DIP, CLASS 52. ALL WATERMAIN SHALL HAVE MINIMUM 8'-0" BURY (TOP OF PIPE TO FINISH GRADE), DIP SHALL BE ENCASED WITH POLYETHYLENE FILM CONFORMING TO ASTM D 1248-889.
28. ALL WATERMAIN SHALL BE AWWA C900, CAST IRON OD, DR 18, PVC PIPE INSTALLED IN ACCORDANCE WITH ASTM D2321. ALL WATERMAIN SHALL HAVE MINIMUM 8'-0" BURY (TOP OF PIPE TO FINISH GRADE).
29. ALL SANITARY SEWER PIPE SHALL BE PVC PIPE (ASTM D 3034, SDR 26), UNLESS OTHERWISE NOTED. SANITARY SEWER INSTALLATION SHALL BE IN ACCORDANCE WITH ASTM D2321.
30. ALL SANITARY SEWER PIPE CROSSING WATERMAIN, OUTSIDE OF THE PUBLIC RIGHT-OF-WAY, SHALL BE ASTM D2665, SCHEDULE 40 PVC WITH SOLVENT WELD JOINTS.
31. ALL STORM SEWER PIPE SHALL BE RCP, CLASS III (MIN.), WITH FLEXIBLE WATER-TIGHT JOINTS IN ACCORDANCE WITH ASTM C-361 OR PVC PIPE (ASTM D3034, SDR 35) INSTALLED IN ACCORDANCE WITH ASTM D2321, UNLESS OTHERWISE NOTED.
32. ALL STORM SEWER PIPE CROSSING WATERMAIN, OUTSIDE OF THE PUBLIC RIGHT-OF-WAY, SHALL BE ASTM D2665, SCHEDULE 40 PVC WITH SOLVENT WELD JOINTS.
33. FLEXIBLE JOINTS AT STORM SEWER PIPE CONNECTIONS TO STRUCTURES:
 - a. IN ACCORDANCE WITH MINNESOTA PLUMBING CODE, PROVIDE FLEXIBLE JOINTS AT ALL PIPE CONNECTIONS TO ALL STORM SEWER STRUCTURES.
 - b. ACCEPTABLE MANUFACTURERS / PRODUCTS:
 - i. FERNCO, "CONCRETE MANHOLE ADAPTORS" OR "LARGE-DIAMETER WATERSTOPS"
 - ii. PRESS-SEAL, WATERSTOP GROUTING RINGS"
 - iii. OR APPROVED EQUIVAL.
34. INSTALL WATERMAIN AT LEAST 10 FEET HORIZONTALLY FROM ANY MANHOLE, CATCH BASIN, STORM SEWER, SANITARY SEWER, DRAIN TILE, OR OTHER POTENTIAL SOURCE FOR CONTAMINATION PER MN PLUMBING CODE. THIS ISOLATION DISTANCE IS MEASURED FROM THE OUTER EDGE OF THE PIPE TO THE OUTER EDGE OF THE CONTAMINATION SOURCE (OUTER EDGE OF STRUCTURES OR SIMILAR).
35. INSTALL MANHOLES, CATCH BASINS, STORM SEWER, SANITARY SEWER, DRAIN TILE, AND OTHER POTENTIAL SOURCES OF CONTAMINATION AT LEAST 10 FEET HORIZONTALLY FROM ANY WATERMAIN PER MN PLUMBING CODE. THIS ISOLATION DISTANCE IS MEASURED FROM THE OUTER EDGE OF THE PIPE TO THE OUTER EDGE OF THE CONTAMINATION SOURCE (OUTER EDGE OF STRUCTURES OR SIMILAR).
36. LOCATE ALL EXISTING UTILITIES. VERIFY LOCATION, SIZE AND INVERT ELEVATION OF ALL EXISTING UTILITIES. BEFORE BEGINNING CONSTRUCTION.
37. PRIOR TO CONSTRUCTION OF PROPOSED BUILDING UTILITY SERVICES (STORM, SANITARY SEWER, WATERMAIN), VERIFY ALL PROPOSED BUILDING UTILITY SERVICE PIPE SIZES, LOCATIONS AND ELEVATIONS WITH MECHANICAL PLANS. COORDINATE CONSTRUCTION AND CONNECTIONS WITH MECHANICAL CONTRACTOR.
38. MAINTAIN DRAINAGE FROM EXISTING BUILDING AT ALL TIMES. PROVIDE TEMPORARY STORM SEWER, INCLUDING, BUT NOT LIMITED TO, CATCH BASINS, MANHOLES, PIPING, AND SIMILAR. DO NOT REMOVE EXISTING STORM SEWER UNTIL TEMPORARY OR PERMANENT STORM SEWER IS INSTALLED AND FUNCTIONAL. COORDINATE ALL REMOVALS WITH APPROPRIATE TRADES (SITE UTILITY CONTRACTOR, MECHANICAL CONTRACTOR, ETC.) AS REQUIRED.
39. STAKE LIMITS OF WALKS AND CURBING PRIOR TO INSTALLATION OF GATE VALVES, CATCH BASINS, AND MANHOLES. ADJUST GATE VALVE AND MANHOLE LOCATIONS TO AVOID PLACEMENT OF THESE STRUCTURES IN WALKS AND CURB AND GUTTER. STAKE CURB AND GUTTER ALIGNMENTS TO ALLOW CURB INLET TYPE CATCH BASINS TO PROPERLY ALIGN WITH CURB AND GUTTER.



121 MILL STREET E
OWATONNA, MN 55060

STEELE COUNTY
630 FLORENCE AVENUE
OWATONNA, MN 55060



woldae.com | 651 227 7773



7575 GOLDEN VALLEY ROAD, SUITE 200
GOLDEN VALLEY, MINNESOTA 55427
Phone: (763) 544-7129
Email: goldenvalley@bolton-menk.com
www.bolton-menk.com

I hereby certify that this plan, specification or report was prepared by
me or under my direct supervision and that I am a duly Licensed
ENGINEER
under the laws of the State of **MINNESOTA**

[illegible]

Comm: 222189
Date: 05/26/2023
Drawn: DGE
Check: DAR

C2.01

MN

NEW CC FACILITY

121 MILL STREET E
OWATONNA, MN 55060

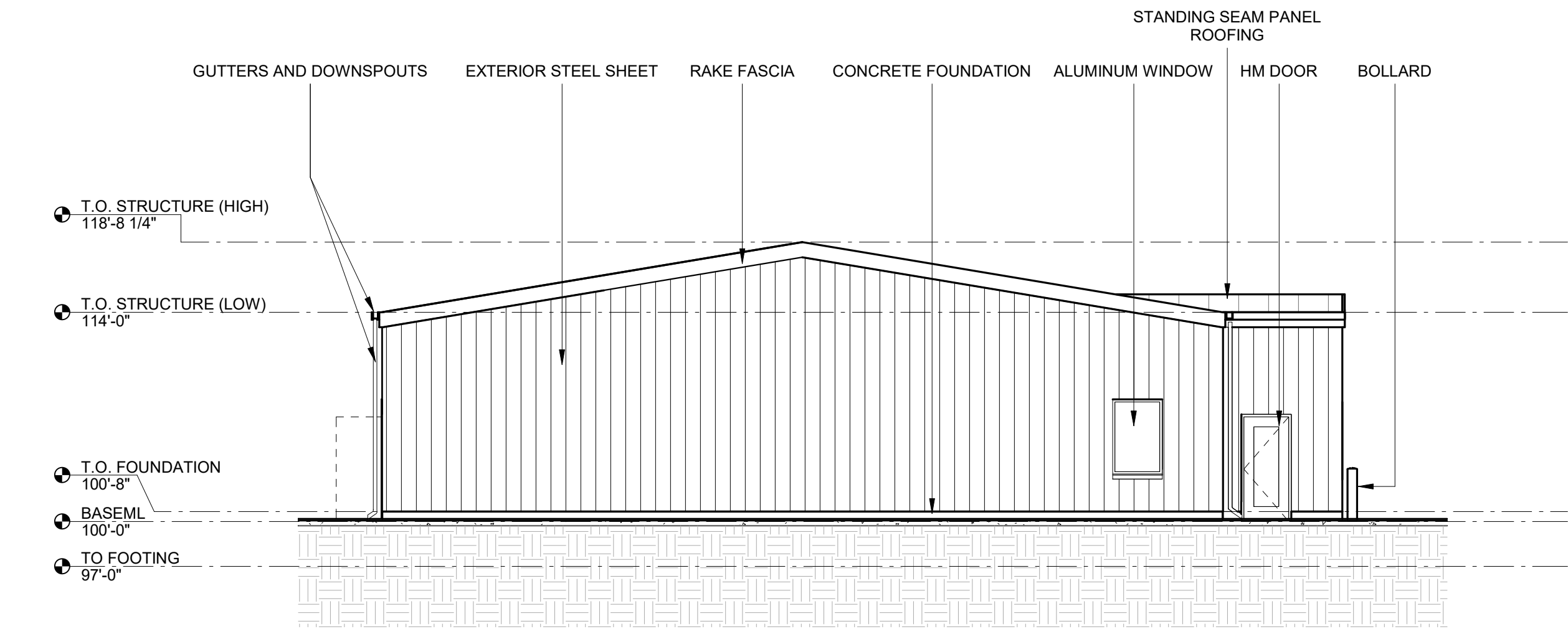
222189

STEELE COUNTY
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OWATONNA, MN 55060

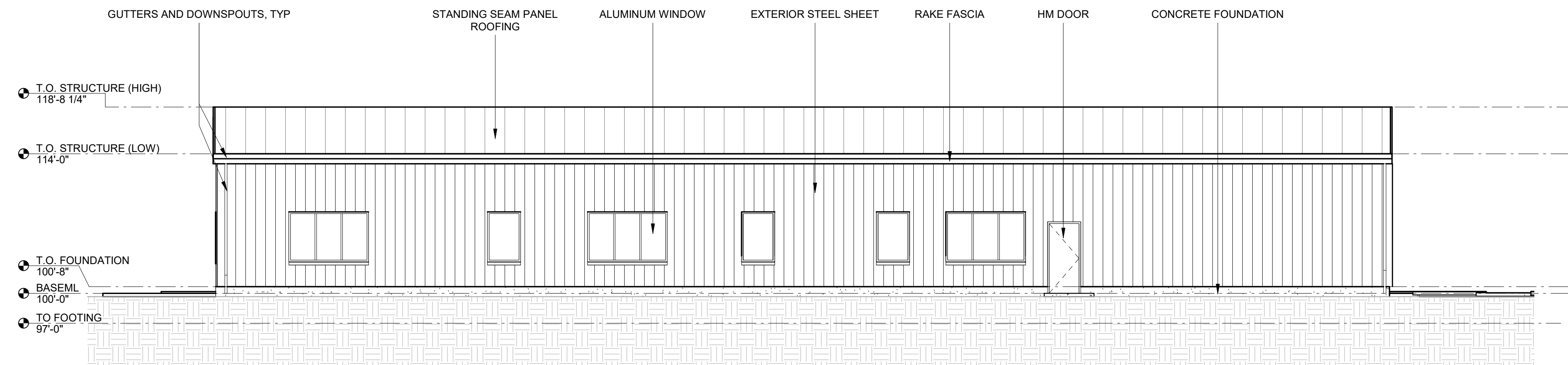


WOLD ARCHITECTS
AND ENGINEERS
332 Minnesota Street, Suite W2000
Saint Paul, MN 55101

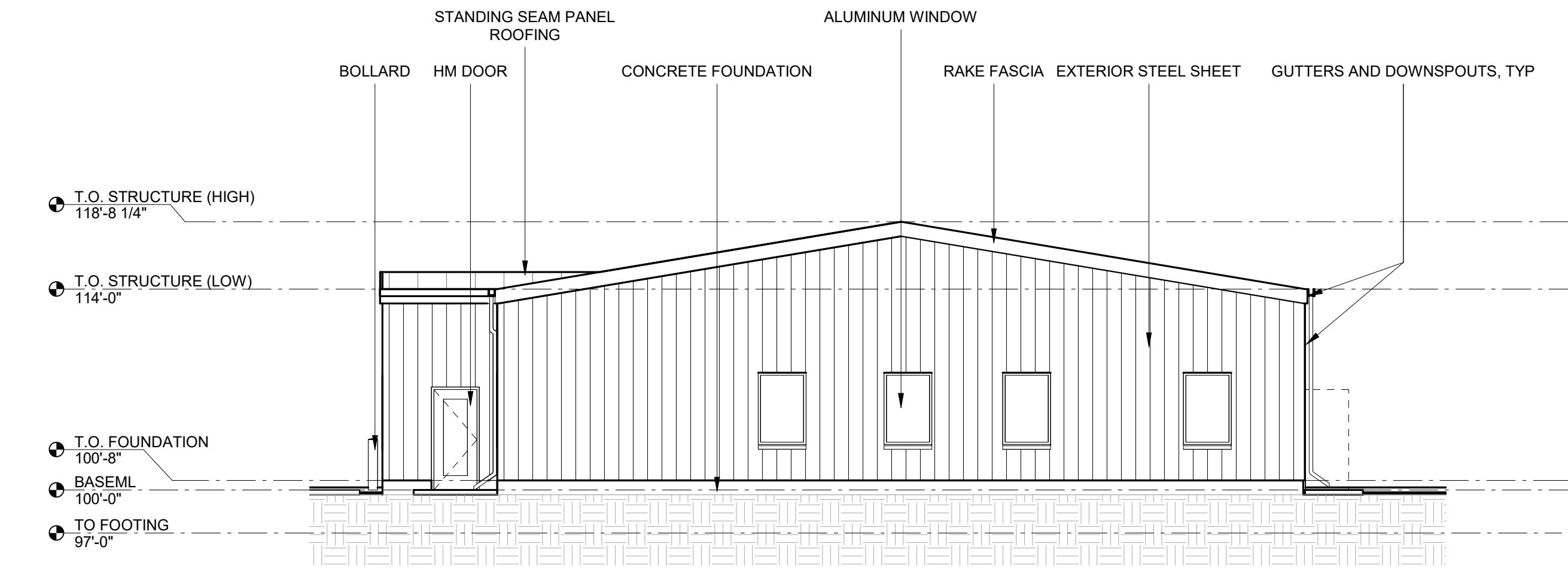
woldae.com | 651 227 7773



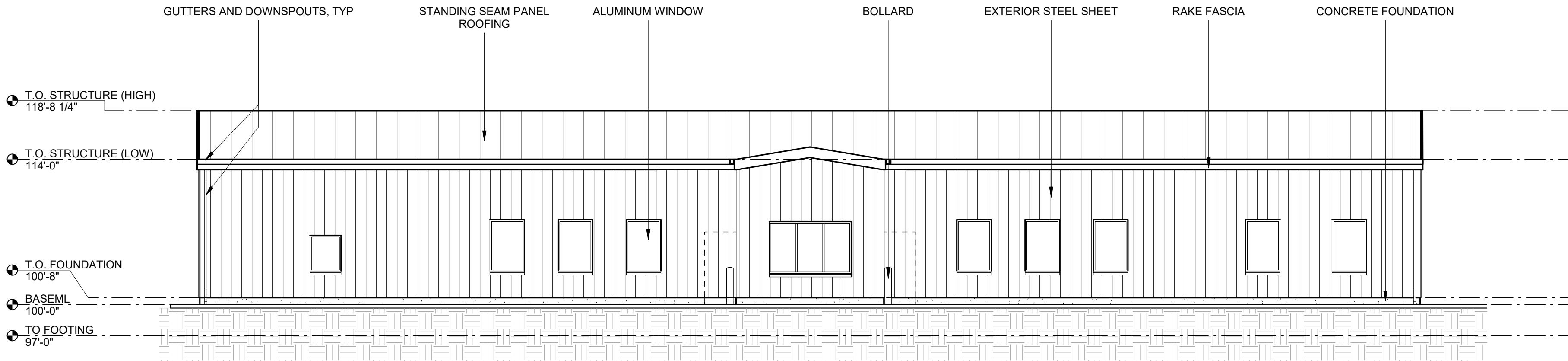
D1 EXTERIOR ELEVATION - NORTH
1/8" = 1'-0"



D4 EXTERIOR ELEVATION - EAST
1/8" = 1'-0"



F1 EXTERIOR ELEVATION - SOUTH
1/8" = 1'-0"



F4 EXTERIOR ELEVATION - WEST
1/8" = 1'-0"

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed ARCHITECT under the laws of the State of Reg State

Arch Name		
License Number:	Arch Num	Issue Date
Description	Revisions	Num
	Date	

Comm: 222189
Date: Issue Date
Drawn: Author
Check: Checker

EXTERIOR
ELEVATIONS

Scale: 1/8" = 1'-0"

CD ESTIMATE SET
NOT FOR CONSTRUCTION

A5.101

MN

NEW CC FACILITY

121 MILL STREET E
OWATONNA, MN 55060

222189

STEELE COUNTY
630 FLORENCE AVENUE
OWATONNA, MN 55060

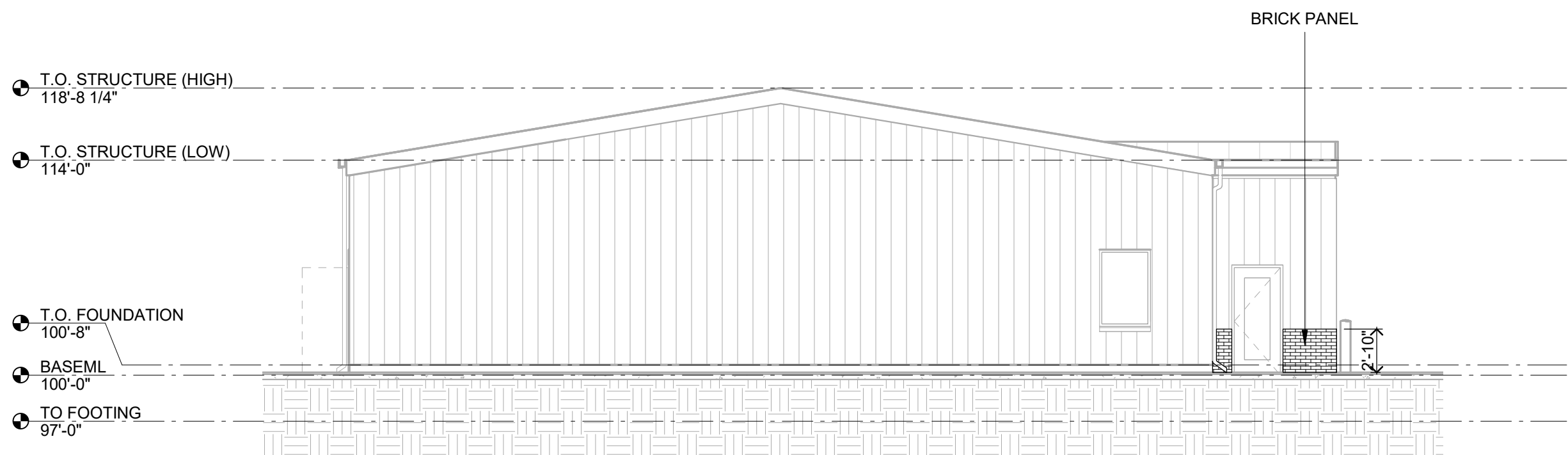
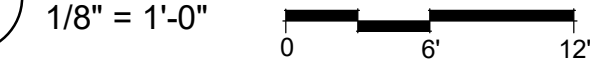


WOLD ARCHITECTS
AND ENGINEERS
332 Minnesota Street, Suite W2000
Saint Paul, MN 55101

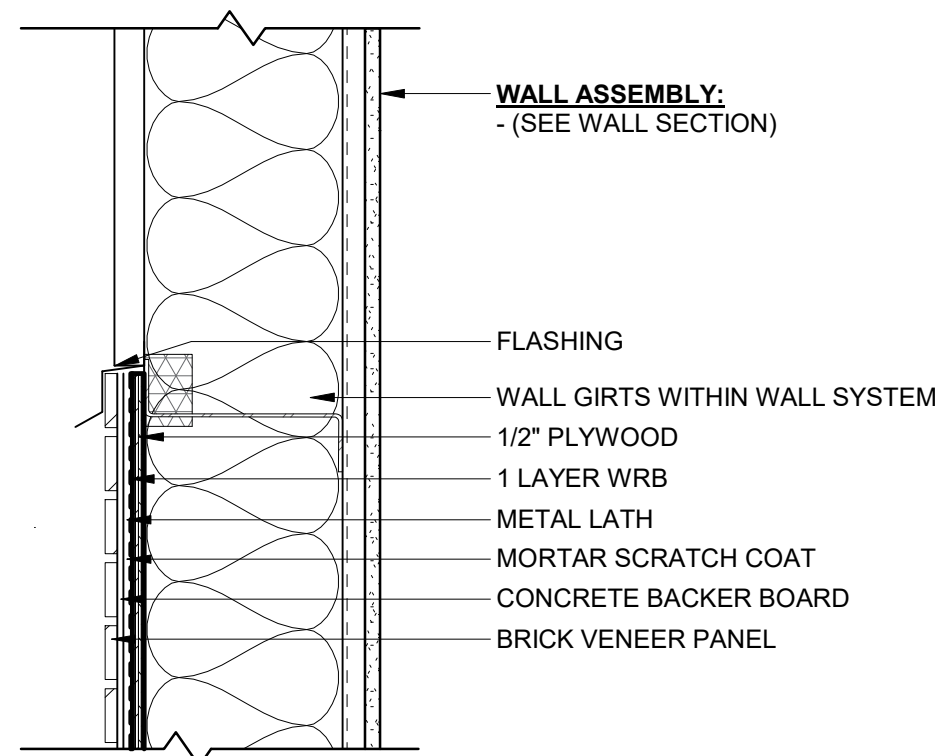
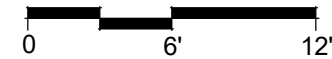
woldae.com | 651 227 7773



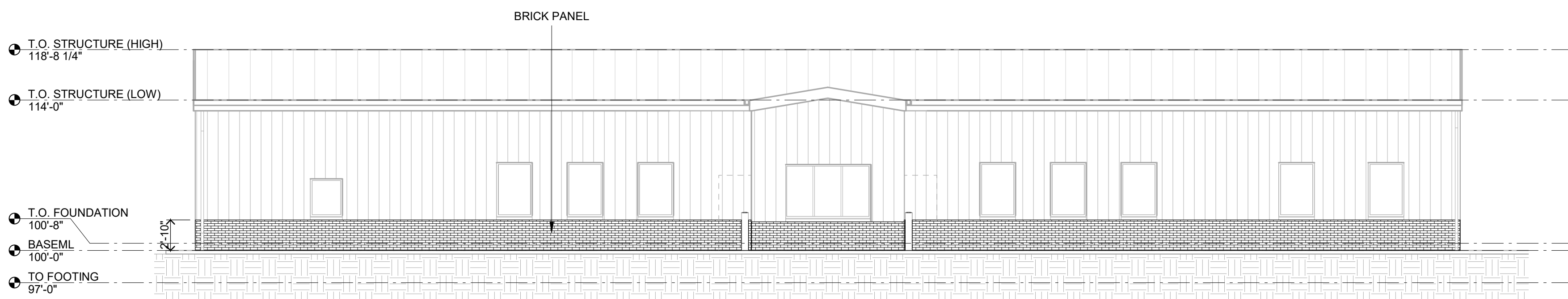
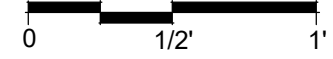
C4 EXTERIOR ELEVATION - SOUTH (ALTERNATE #3)
1/8" = 1'-0"



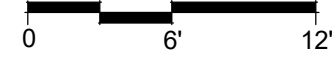
E4 EXTERIOR ELEVATION - NORTH (ALTERNATE #3)
1/8" = 1'-0"



F1 SECTION AT MATERIAL TRANSITION (ALTERNATE #3)
1 1/2" = 1'-0"



F4 EXTERIOR ELEVATION - WEST (ALTERNATE #3)
1/8" = 1'-0"



I hereby certify that this plan, specification or report was prepared by
me or under my direct supervision and that I am a duly Licensed
ARCHITECT
under the laws of the State of **Reg State**

Arch Name
License Number: Arch Num Date Issue Date

Description	Revisions	
	Date	Num

Comm: 222189
Date: Issue Date
Drawn: Author
Check: Checker

ALTERNATE #3
EXTERIOR BRICK
VENEER

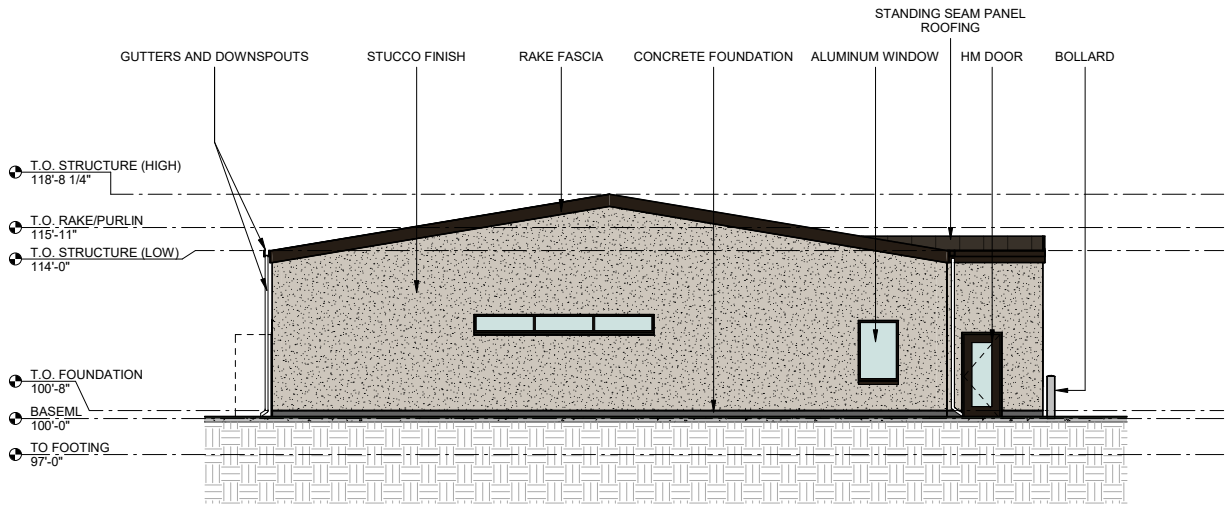
Scale: As indicated

A9.001

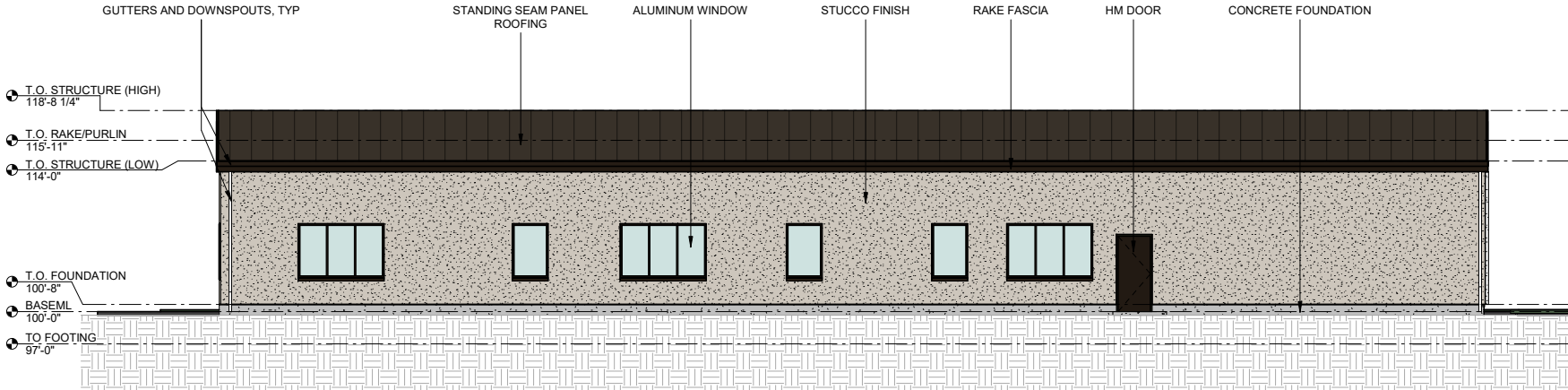
CD ESTIMATE SET
NOT FOR CONSTRUCTION



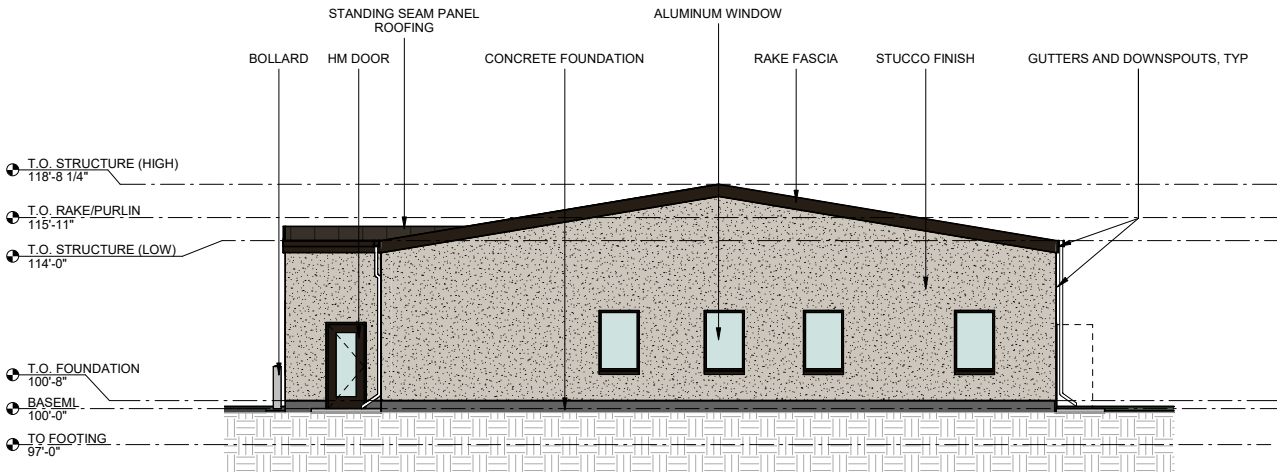
STUCCO



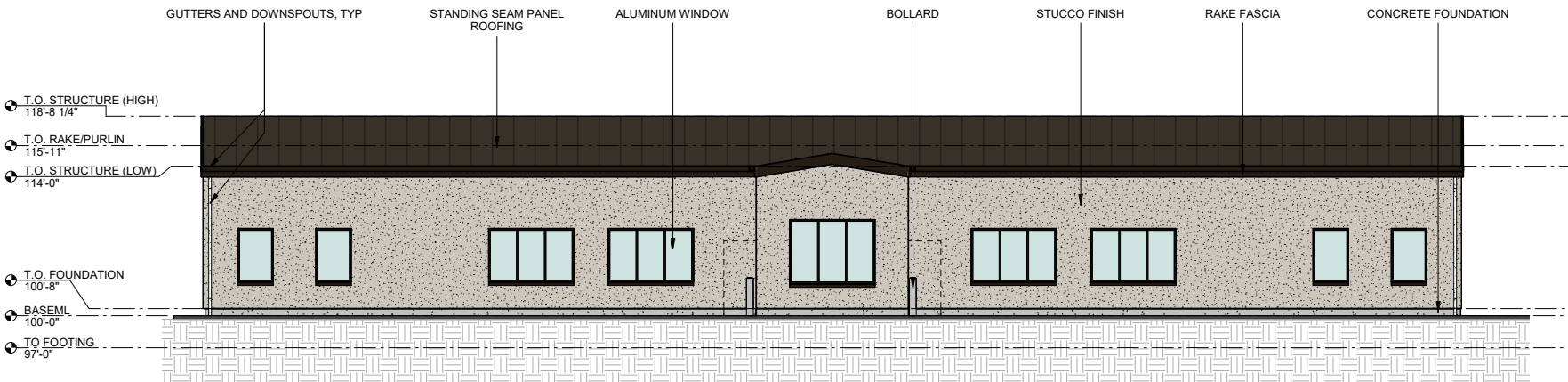
D1 EXTERIOR ELEVATION - NORTH
1/8" = 1'-0"



D4 EXTERIOR ELEVATION - EAST
1/8" = 1'-0"



F1 EXTERIOR ELEVATION - SOUTH
1/8" = 1'-0"



F4 EXTERIOR ELEVATION - WEST
1/8" = 1'-0"



Administration Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Mark Walbran
City Attorney
SUBJECT: First Reading Proposed Ordinance 23-19: Adopt S-7 Supplement to the 2015 Ordinance Code

Purpose:

Council to approve the first reading of Proposed Ordinance 23-19 to adopt the S-7 Supplement to the 2015 Ordinance Code of the City of Owatonna.

Background:

A Minnesota State provides that a city may revise and codify the Code of Ordinances from time to time and publish the same. Codification is a process by which ordinances adopted by the City are organized according to topic, assigned a section number, and printed and published in a book format in order that the Ordinances are available for reference to the public. The most recent codification of the City Ordinance Code was published in 2015.

American Legal Publishing Corporation, a publisher of municipal codes affiliated with the League of Minnesota Cities, completed the recodification. Annually, they prepare a supplement to our Code of Ordinance which contains all ordinances approved since the prior supplement; this is the seventh supplement, S-7.

The Official Copy of the 2015 Code is kept on file in the office of the City Administrator. Copies of the City Code of Ordinances are also provided to the Steele County Court, Administrator for the Steele County Law Library located at the Steele County Courthouse and the Owatonna Public Library. An online version of the Code is available on the City's website which enables the public to search, browse, and navigate the City Code.

This supplement contains local legislation current through Ordinance #1644, passed March 21, 2023.

Budget Impact:

\$1,026.00 - Edit 57 pages at \$18/page
81.13 - Shipping and Handling Fee
\$1,107.13 - Total payment due American Legal

Staff Recommendation:

Recommend approval of this first reading of Proposed Ordinance 23-19. A second/final reading will be heard during the next Council Meeting on October 3, 2023.

Attachments:

1. Proposed Ordinance 23-19 Adopt S-7 Supplement

Proposed Ordinance 23-19

ORDINANCE NO. _____

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT
TO THE CODE OF ORDINANCES FOR THE CITY OF OWATONNA

WHEREAS American Legal Publishing Corporation of Cincinnati, Ohio, has completed the S-6 Supplement to the 2015 Code of Ordinances of the City of Owatonna, which contains all ordinances of a general and permanent nature enacted since the S-6 Supplement to the 2015 Code of Ordinances of the City of Owatonna.

NOW THEREFORE by the City Council of the City of Owatonna, Minnesota, be it ordained:

Section 1. That the S-7 Supplement to the 2015 Code of Ordinances of the City of Owatonna as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, containing local legislation current through Ordinance 1644 passed March 21, 2023, is hereby adopted by reference as if set out in its entirety.

Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the City Council and the City Clerk of the City of Owatonna is hereby authorized and ordered to insert such supplement into the copy of the 2015 Code of Ordinances kept on file in the City Administration Office.

Passed and adopted this ____ day of _____, 2023, with the following vote:

Aye:

No:

Absent:

Approved and signed this ____ day of _____, 2022.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk



Resolutions



Community Development Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Greg Kruschke, Community Development Manager
SUBJECT: Resolution 83-23: Preliminary Plat of Cedar Mill Addition

Purpose:

Approve the preliminary plat of Cedar Mill Addition.

Background:

See Attached staff report.

Budget Impact:

None.

Staff Recommendation:

Staff recommends approval of the preliminary plat of Cedar Mill Addition as requested by the Planning Commission.

Attachments:

1. Resolution Prelim Plat - Cedar Mill Addition
2. Cedar Mill Addition PP Staff Report

RESOLUTION NO. _____

A RESOLUTION APPROVING PRELIMINARY PLAT OF
CEDAR MILL ADDITION

WHEREAS, on September 19, 2023, the City Council accepted and approved the preliminary plat of Cedar Mill Addition to the City of Owatonna, as the same was approved and recommended by the Planning Commission of the City.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Owatonna, Minnesota:

1. That said plat is in accordance with and conformity to the plans and regulations established by the City for a comprehensive plan for the development of the City.
2. That said plat be and the same hereby is approved 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 plat shall be contingent upon the rezoning request referred to as RZ-6.
 - d) All unused water and sewer services shall be disconnected at the main.
 - e) All comments of the City Engineer's memo shall be adhered to.
3. That the Clerk cause a certified copy of this resolution to be filed in the office of the County Recorder of Steele County, Minnesota, and to be given to the applicants of said plat.

Passed and adopted this 19th day of September, 2023, with the following vote:

Aye ; No 0 ; Absent 0 .

Approved and signed this 19th day of September, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk

September 8, 2023

To: Planning Commission
From: Community Development Department
RE: Preliminary Plat of Cedar Mill Addition

Background

Steele County is requesting approval of the preliminary plat of Cedar Mill Addition, a two lot commercial plat. The County is proposing to construct a new office building on the eastern lot. The west lot is currently occupied by the County Attorney's office. The garage on the east lot will be demolished with this project.

These two lots will share parking and access. A parking, access, and maintenance agreement will be required to be recorded prior to a Certificate of Occupancy being issued on the new office building.

When the previous structures were demolished on the eastern property the County did not remove the water and sewer services associated with these structures. Code requires them to be disconnected at the main once it is determined that they will no longer be used. With the construction of the new building these unused services need to be removed as part of this project. The Civil drawing shows at least two services to the west of the proposed street opening that will need to be removed.

Application Review:

Applicant/Owner:	Steele County
Location of Property:	121 Mill Street East
Existing Zoning:	Requested to be rezoned to B-3, Community Business District
Existing Land Use:	The lots are currently occupied by the County Attorney's office and a detached garage. Houses were torn down a few years ago on the eastern portion.
Report Attachments:	1. Location Maps 2. Preliminary Plat 3. Civil Drawings 4. Project Narrative 5. City Engineer's Memo

Proposed Development:

Size of Subdivision:	0.84± acres
Number of Lots:	To be platted into two lots
Lot Configuration:	The lots are generally rectangular in shape.
Street Pattern:	No Changes
Services:	Services are currently stubbed into both lots.
Timing/Financing of Development:	The applicant will record the plat this soon in order to start construction.
Outstanding Assessments:	None.
Floodplain:	None
Wetlands:	The property does not have any wetlands.
Storm Water Drainage:	No changes. Will be reviewed specifically with a grading permit for any new construction
Easements:	None proposed
County/MNDOT Review:	Not adjacent to a ROW.

Staff Review:

Staff recommends approval of the preliminary plat of Redline Addition 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) The plat shall be contingent upon the rezoning request.
- 4) All unused water and sewer services shall be disconnected at the main.
- 5) All comments of the City Engineers Memo shall be adhered to.

Planning Commission:

Application No. RZ-6, which is a request by Allison Timmins, Wold Architects, on behalf of Steele County, to rezone property from B-2, Community Business District, to B-3, Central

Business District, for the purposes of constructing a new Community Corrections building for the property located at 121 Mill Street East, was presented by Community Development Manager Greg Kruschke. (Refer to report on file.)

Preliminary Plat of Cedar Mill Addition, which is an 0.84± acre tract of land to be rezoned B-3, Central Business District, owned by Steele County and located at 121 Mill Street East, was presented by Community Development Manager Greg Kruschke. (Refer to report on file.)

Kruschke said staff has had three calls on the notices. The majority of the concerns were “What is this?” as the notice said Community Corrections. He said this isn’t a new use downtown. They never knew it was there. The second concern was about how it will fit into the neighborhood and staff has addressed those issues.

Public hearing for both requests opened at 5:40 pm. Brian Erickson, General Manager of Physical Services at Federated Insurance, was present representing Federated Insurance. He said they don’t have any issues with occupancy, plat, or zoning, but would like to echo the City’s comments about the exterior finish and appearance of the proposed building. He said they think it would be better if it has more of an office / retail / professional exterior appearance rather than the original proposed steel industrial look. Having buildings and owing property adjacent to that is one of their concerns in terms of the neighborhood. Also, having participated in the Owatonna Forward and Owatonna revitalization projects, Federated wouldn’t want to see the appearance downtown take a step backwards after all the progress that’s been made. Public hearing closed at 5:42 pm. Nick Peake said he agrees about the steel siding. You wouldn’t be able to build an outbuilding for your house that way on your residential lot, let alone a building downtown, so he doesn’t think that’s appropriate. Even the stucco is kind of a copout. You’d need some sort of brick, at least on the major side of it. Besides that, the rest of it makes sense. Meier asked what can be done on our end? Can we require a more fitting structure? Kruschke said, within the findings of a rezoning, you get into that it could be a negative impact to the neighborhood. As you get into the finish of the building, and legally speaking it may be tough to do that. He said that steps can be taken, though. The City doesn’t have elevation standards, and hasn’t done that in the downtown area. When you start to get into historic preservation, it can get very nitpicky on where to go. The City has taken the position that people will do the right thing and have worked with others on that. They’ve had that conversation here, and they’ve been working on that already. They still have to go through bid process and put the plans together. There is a review the MainStreet Design Committee does. They ask that applicants try to meet the intent and character of the B-3. Kruschke said that Jacob and his team have been looking at things already and are taking the comments in tonight. This is the first step of many as they go forward.

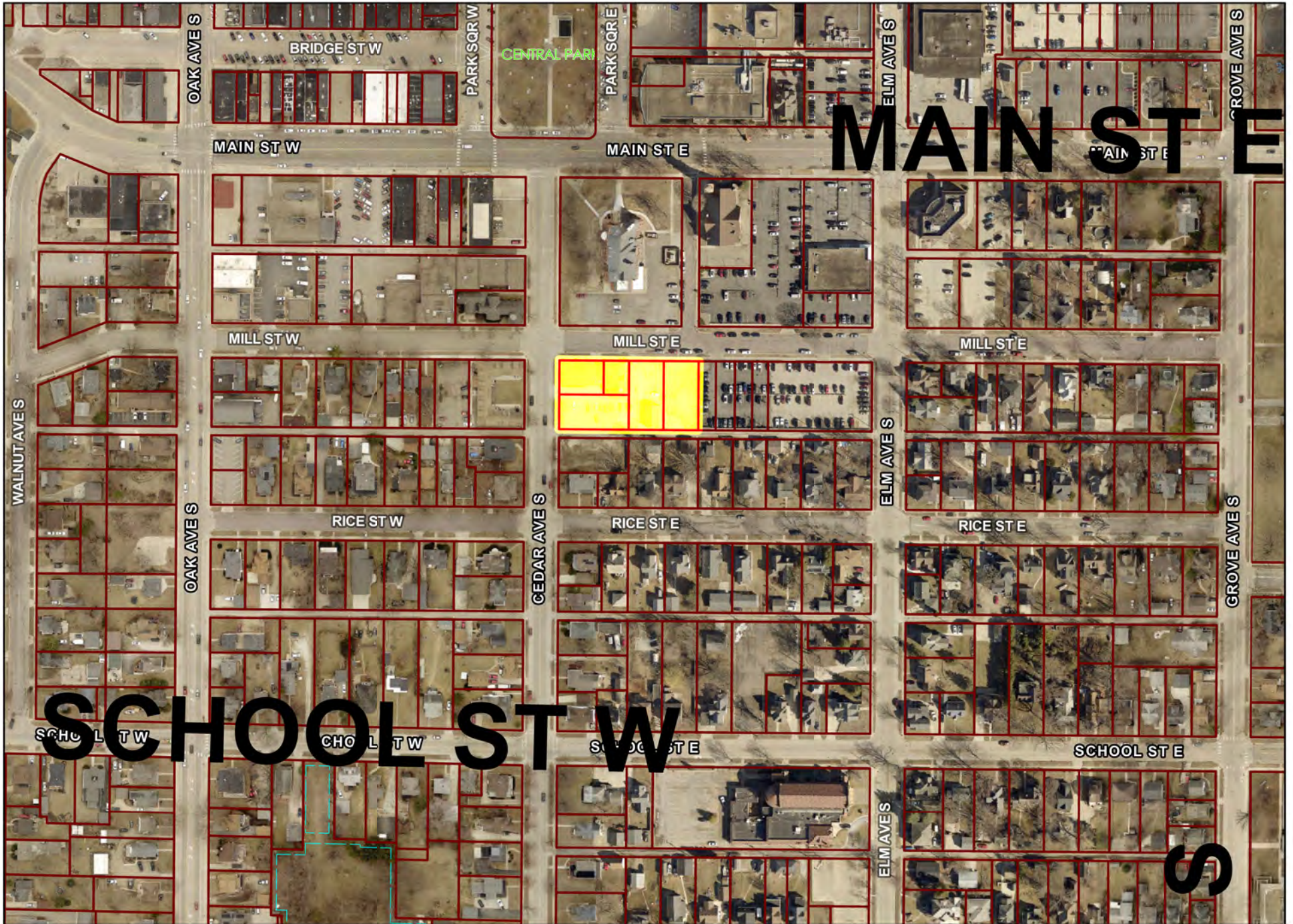
A motion was made by Effertz and seconded by Wilson to recommend City Council approval of this rezoning from B-2, Community Business District, to B-3, Central Business District. All Commissioners voting Aye, the motion carried.

A motion was made by Eickhoff and seconded by Wilson to recommend City Council approval of this preliminary plat 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) The plat shall be contingent upon the rezoning request.
- 4) All unused water and sewer services shall be disconnected at the main.
- 5) All comments of the City Engineers Memo shall be adhered to.

All Commissioners voting Aye, the motion carried.



Cedar Mill Addition



1:2,926



MILL STE

MILL STE

MILL STE

CEDAR AVE S



Cedar Mill Addition

1:414

Date: 8/29/2023
Page 184 of 255

CEDAR MILL ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That Steele County, a Governmental Subdivision under the laws of Minnesota, owner of the following described property situated in the County of Steele, State of Minnesota, to wit:

Lots 1, 2, and 3, Block 16, in the Town (now City) of Owatonna, Steele County, Minnesota.

And

Lot 4, Block 16, in the Town (now City) of Owatonna, Steele County, Minnesota.

Has caused the same to be surveyed and platted as CEDAR MILL ADDITION.

In witness whereof said Steele County, a Governmental Subdivision under the laws of Minnesota, has caused these presents to be signed by its proper officer this ____ day of _____, 20__.

Steele County

By: _____, its _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by _____ its _____ of Steele County, a Governmental Subdivision under the laws of Minnesota, on behalf of said County.

Notary Public, _____

My Commission Expires _____

SURVEYOR'S CERTIFICATE

I, Arlee J. Carlson, hereby certify that this plat CEDAR MILL ADDITION was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 20__.

Arlee J. Carlson, Licensed Land Surveyor
Minnesota License No. 44900

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by Arlee J. Carlson, Licensed Land Surveyor.

Notary Public, _____

My Commission Expires _____

CITY COUNCIL, OF THE CITY OF OWATONNA

This plat of CEDAR MILL ADDITION was approved and accepted by the City Council of the City of Owatonna, Minnesota on this ____ day of _____, 20__, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03. Subd. 2.

Kris M. Busse, City Administrator

COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this ____ day of _____, 20__.

Scott A. Tuchtenhagen, County Surveyor, Steele County, Minnesota

COUNTY AUDITOR/TREASURER, Steele County, Minnesota

No delinquent taxes and transfer entered this ____ day of _____ 20__.

Laura Ihrke, County Auditor, Steele County, Minnesota

I hereby certify that the taxes due and payable for the year 2023 on the land described herein are paid.

Catherine Piepho, County Treasurer, Steele County, Minnesota

COUNTY RECORDER

Filed in the office of the County Recorder, this ____ day of _____ 20__ at ____ o'clock ____M. in Book ____ of Plats, Page ____ as Document Number _____

Rick G. Kvien, County Recorder, Steele County, Minnesota

66

MILL STREET E.

66

COURT AVE. SE.

S89°37'08"E
32.46

S89°37'08"E 264.82

132.41

132.41

LOT 2

BLOCK 16

LOT

2

1

LOT 3

LOT 4

LOT

BLOCK 1

1

LOT 1

TOWN OF OWATONNA

132.43

132.43

N89°35'46"W 264.86

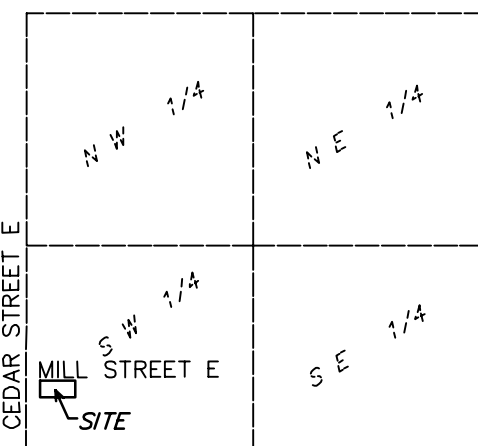
ALLEY

16.5

16.5

BLOCK 16

VICINITY MAP



SEC. 10, TWP. 107, RGE. 20

NO SCALE

PRELIMINARY
SUBJECT TO REVISION

• Denotes found iron monument, as shown.

The north line of Block 6, Town of Owatonna is assumed to bear S89°37'08"E.

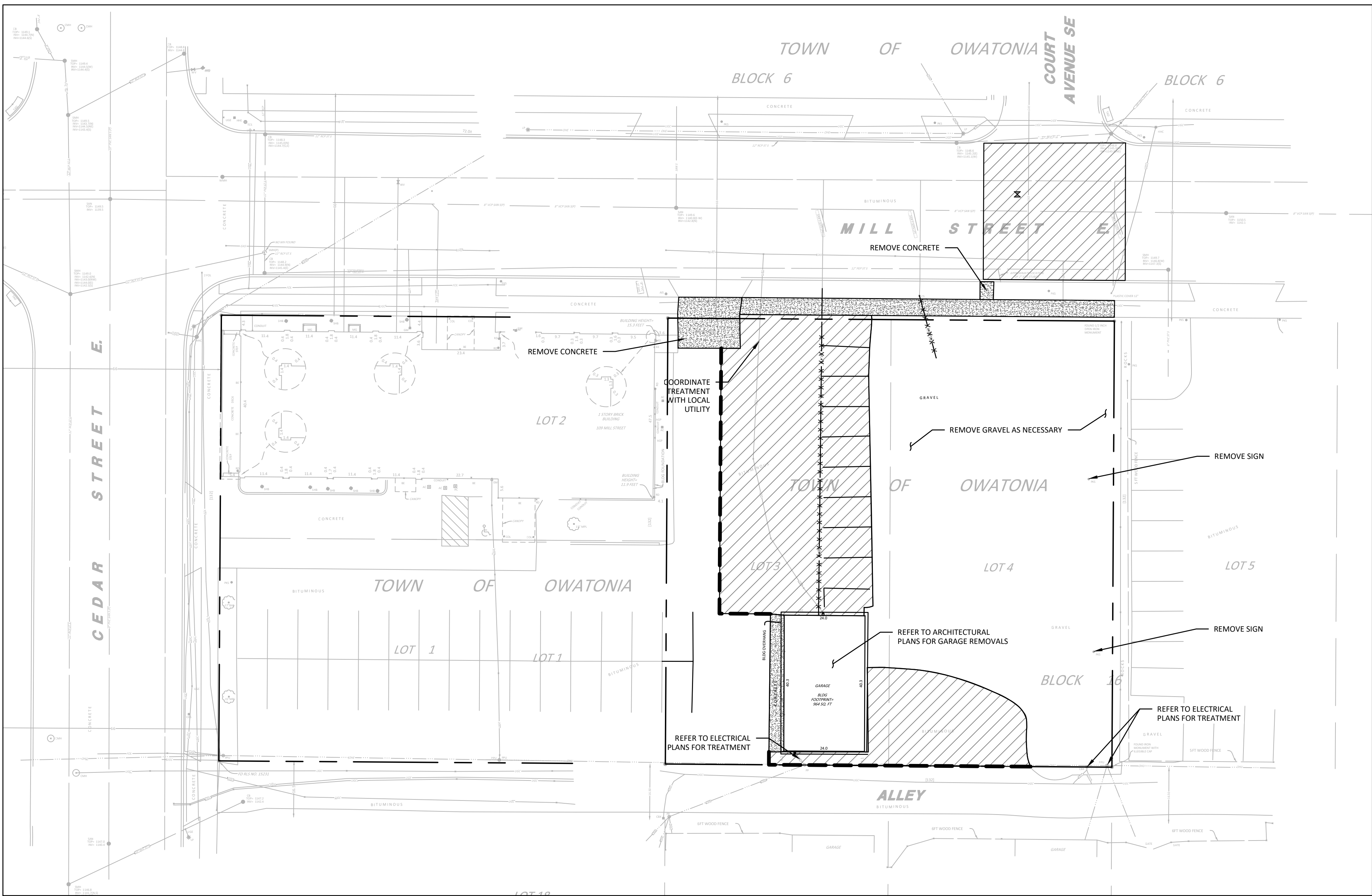
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20 0 20 40
SCALE IN FEET

SUNDE
LAND SURVEYING

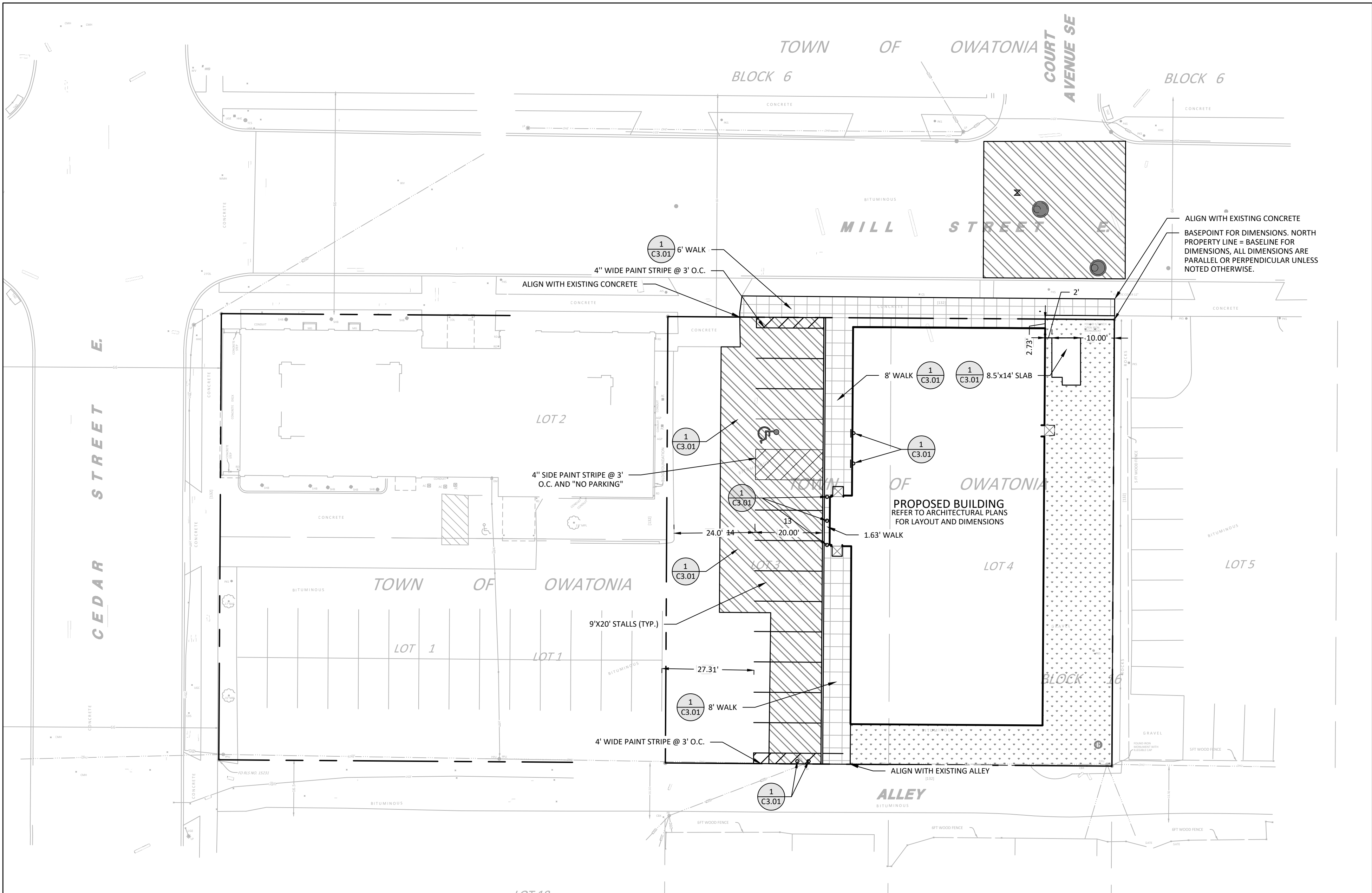
MN

C



1 REMOVALS PLAN

1" = 20'



2 FINISHING PLAN

1" = 20'

LEGEND

- REFERENCE KEY TO SITE DETAILS
DETAIL I.D. NUMBER (TOP)
DETAIL SHEET NUMBER (BOTTOM)
- CONCRETE CURB AND GUTTER REMOVALS
- UNDERGROUND UTILITY REMOVALS
- CONCRETE PAVEMENT REMOVALS
- ASPHALT PAVEMENT REMOVALS
- GRAVEL SURFACE REMOVALS
- FENCING REMOVALS
- SAWCUT
- PROPOSED CONCRETE WALK
- PROPOSED CONCRETE SLAB
- PROPOSED ASPHALT PAVEMENT
- PROPOSED TRAFFIC CONTROL SIGN
- PROPOSED BOLLARD
- PROPOSED ACCESSIBLE SYMBOL
- PROPOSED MANHOLE (MH)
- PROPOSED CATCH BASIN (CB)
- PROPOSED GATE VALVE (GV)
- PROPOSED FLAG POLE
- PROPOSED BUILDING STOOP - REFER TO ARCHITECTURAL PLANS
- PROPOSED LIGHT POLE - REFER TO ELECTRICAL PLANS
- PROPERTY LINE

NOTES

- REFER TO SHEET CXXX, XXXXXX, FOR GENERAL NOTES.
- MINIMIZE DISTURBANCE TO SITE AND PROTECT EXISTING VEGETATION AND SITE FEATURES (CURBS, WALKS, PAVEMENTS, OVERHEAD AND UNDERGROUND UTILITIES, SIGNAGE, FENCING, ROADWAYS, ETC.) WHICH ARE TO REMAIN.
- REPAIR OR REPLACE EXISTING PROPERTY AND SITE FEATURES, INCLUDING GRASS AND VEGETATION, WHICH IS TO REMAIN THAT IS DAMAGED BY THE WORK, TO THE OWNER'S SATISFACTION AND AT NO ADDITIONAL COST TO THE OWNER.
- VISIT THE SITE PRIOR TO BIDDING; BE FAMILIAR WITH ACTUAL CONDITIONS IN THE FIELD. EXTRA COMPENSATION WILL NOT BE ALLOWED FOR CONDITIONS WHICH COULD HAVE BEEN DETERMINED OR ANTICIPATED BY EXAMINATION OF THE SITE, THE CONTRACT DRAWINGS AND THE INFORMATION AVAILABLE PERTAINING TO EXISTING SOILS, UTILITIES AND OTHER SITE CHARACTERISTICS.
- THE SERVICES OF A UTILITY LOCATOR COMPANY TO LOCATE ALL PRIVATELY OWNED UTILITIES THAT MAY BE DISTURBED BY CONSTRUCTION OPERATIONS.
- MAINTAIN DRAINAGE FROM EXISTING BUILDING AT ALL TIMES. PROVIDE TEMPORARY STORM SEWER, INCLUDING, BUT NOT LIMITED TO, CATCH BASINS, MANHOLES, PIPING, AND SIMILAR. DO NOT REMOVE EXISTING STORM SEWER UNTIL TEMPORARY OR PERMANENT STORM SEWER IS INSTALLED AND FUNCTIONAL. COORDINATE ALL REMOVALS WITH APPROPRIATE TRADES (SITE UTILITY CONTRACTOR, MECHANICAL CONTRACTOR, ETC.) AS REQUIRED.
- CHECK ALL PLAN AND DETAIL DIMENSIONS AND VERIFY SAME BEFORE FIELD LAYOUT.
- INSTALL TRAFFIC CONTROL SIGNS APPROXIMATELY 18 INCHES BEHIND BACK OF CURB.
- ALL DISTURBED AREAS OUTSIDE THE BUILDING PAD, WHICH ARE NOT DESIGNATED TO BE PAVED OR RECEIVE AGULME, SHALL RECEIVE AT LEAST 6" OF TOPSOIL AND SHALL BE SODDED OR SEEDED. ALL AREAS NOT DESIGNATED FOR SOD OR A SPECIFIC SEED MIX, WHICH ARE DISTURBED BY CONSTRUCTION, SHALL BE SEEDED WITH SEED MIX #1.
- WHERE NEW SOD MEETS EXISTING SOD, CUT A CLEAN, SHARP EDGE TO ALLOW FOR A CONSISTENT, UNIFORM, AND STRAIGHT JOINT BETWEEN NEW SOD AND EXISTING TURFGRASS. JAGGED OR UNEVEN JOINTS WILL NOT BE ACCEPTED. REMOVE TOPSOIL AT THE JOINT BETWEEN NEW SOD AND EXISTING TURFGRASS, AS REQUIRED, TO ALLOW NEW SOD SURFACE TO BE FLUSH WITH EXISTING TURFGRASS SURFACE.
- FAILURE OF TURF DEVELOPMENT: IN THE EVENT THE CONTRACTOR FAILS TO PROVIDE AN ACCEPTABLE TURF, RE-SOD OR RE-SEED ALL APPLICABLE AREAS, AT NO ADDITIONAL COST TO THE OWNER, TO THE SATISFACTION OF THE ENGINEER OR LANDSCAPE ARCHITECT.

NEW CC FACILITY

121 MILL STREET E
OWATONNA, MN 55060

STEELE COUNTY
630 FLORENCE AVENUE
OWATONNA, MN 55060



WOLD ARCHITECTS
AND ENGINEERS
332 Minnesota Street, Suite W2000
Saint Paul, MN 55101

woldac.com | 651 227 7773



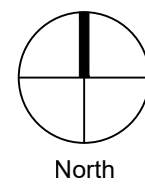
7575 GOLDEN VALLEY ROAD, SUITE 200
GOLDEN VALLEY, MINNESOTA 55427
Phone: (763) 544-7229
Email: goldenvalley@bolton-menk.com
www.bolton-menk.com

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed
ENGINEER
under the laws of the State of MINNESOTA

DAVID A. REY
Registration Number 40180 Date XX/XX/XX

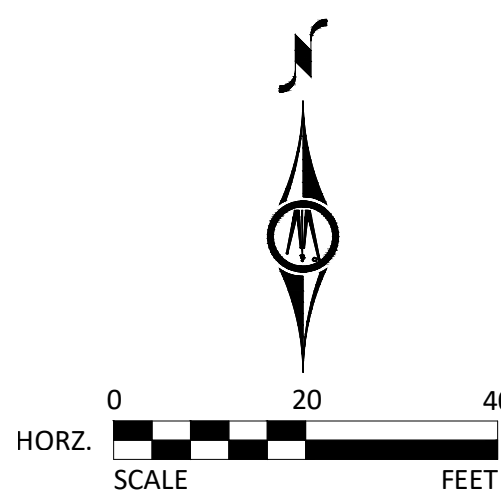
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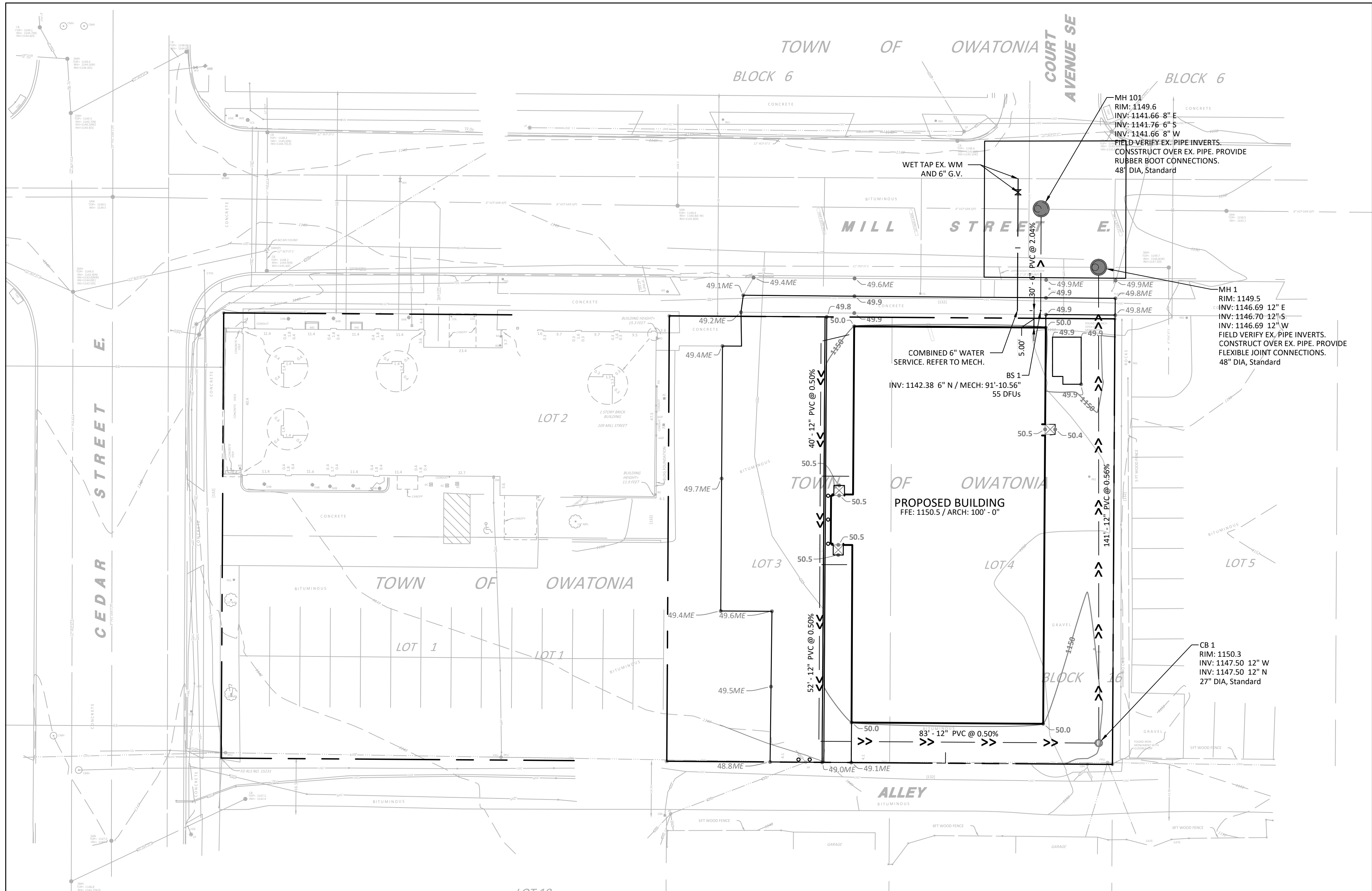
Comm: 222189
Date: 05/26/2023
Drawn: DGE
Check: DAR



REMOVALS AND
FINISHING PLAN

C2.01





UTILITY & EROSION CONTROL PLAN

(2)

BUILDING PAD SOIL CORRECTION QUANTITY

BENCHMARKS (FIELD VERIFY BEFORE USING)

(NAVD 88)

- REFERENCE KEY TO SITE DETAILS
 DETAIL I.D. NUMBER (TOP)
 DETAIL SHEET NUMBER (BOTTOM)

EXISTING CONTOUR

EXISTING SPOT ELEVATION

PROPOSED CONTOUR

PROPOSED SPOT ELEVATION
 ME = MATCH EXISTING
 TC = TOP OF CURB

PROPOSED GRADING LIMITS

APPROXIMATE SOIL BORING

PROPOSED MANHOLE (MH) 

PROPOSED CATCH BASIN (CB) 

PROPOSED GATE VALVE (GV) 

PROPOSED SANITARY SEWER 

PROPOSED STORM SEWER 

PROPOSED WATERMAIN 

PROPOSED DRAINILE / FINGER DRAIN 

PROVIDE MINIMUM 18" VERTICAL SEPARATION AT CP
 VERTICAL BENDS IN WATERMAIN AS REQUIRED TO AC
 CENTER ONE LENGTH WATERMAIN PIPE ON CROSSING

CONNECT DRAINILE TO STRUCTURE AND PROVIDE BA

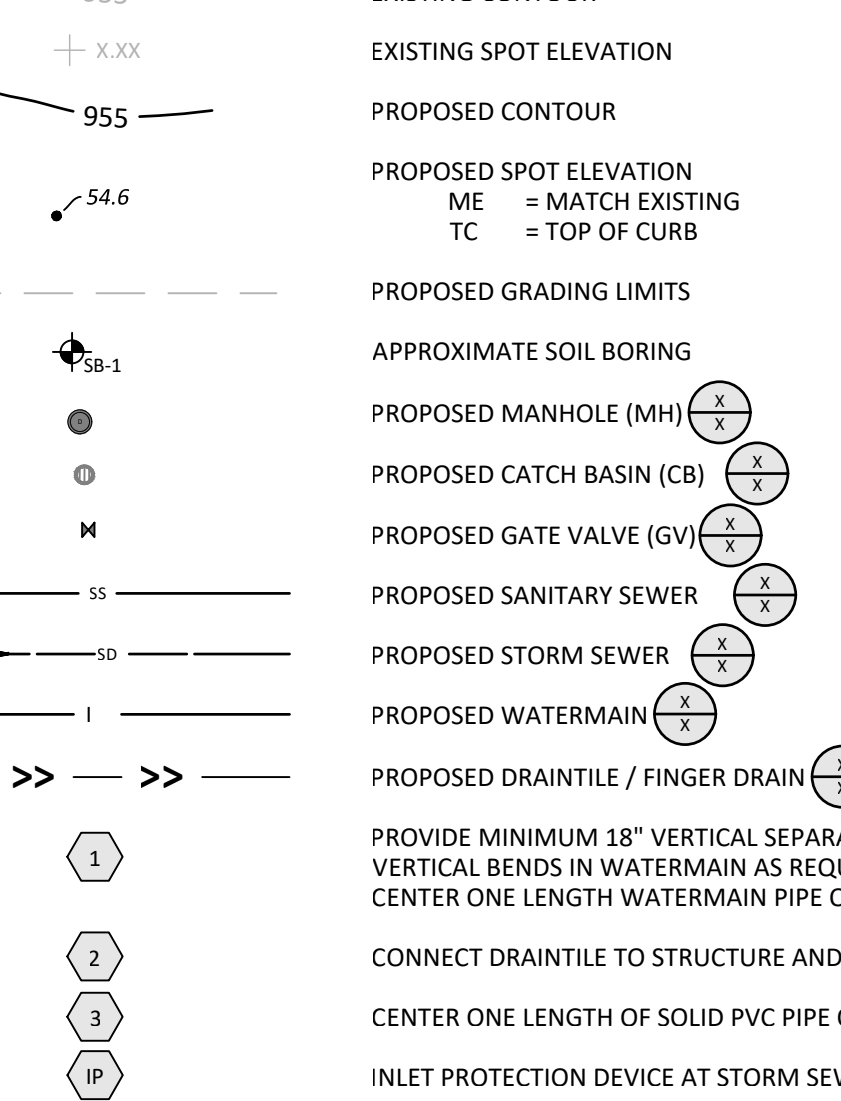
CENTER ONE LENGTH OF SOLID PVC PIPE ON WATERM

INLET PROTECTION DEVICE AT STORM SEWER INLET

SEDIMENT CONTROL LOGS

PROPOSED STOOP - REFER TO ARCHITECTURAL PLANS

PROPERTY LINE



GENERAL NOTES

3. ALL CONSTRUCTION SHALL COMPLY WITH APPLICABLE STATE AND LOCAL ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR AND SHALL PAY FOR ALL CONSTRUCTION STAKING / LAYOUT.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRAFFIC CONTROL SIGNAGE (CONSTRUCTION ZONES) NECESSARY TO CONSTRUCT PROPOSED IMPROVEMENTS. ALL SIGNAGE LAYOUTS MUST BE DESIGNED BY THE CONTRACTOR AND APPROVED BY LOCAL AUTHORITIES.
4. INSTALL CONTROL FENCING AND BARRICADING AS NECESSARY TO PROTECT THE PUBLIC.
5. INSPECT SITE AND REVIEW SOIL BORINGS TO DETERMINE EXTENT OF WORK AND NATURE OF MATERIALS TO BE HANDLED.
6. REFER TO SPECIFICATIONS FOR DEWATERING REQUIREMENTS.
7. CHECK ALL PLAN AND DETAIL DIMENSIONS AND VERIFY SAME BEFORE FIELD LAYOUT.
8. REFER TO ARCHITECTURAL PLANS FOR BUILDING AND STOOP DIMENSIONS AND LAYOUT.
9. MAINTAIN ADJACENT PROPERTY AND PUBLIC STREETS CLEAN FROM CONSTRUCTION CAUSED DIRT AND DEBRIS ON A DAILY BASIS. PROTECT DRAINAGE SYSTEMS FROM SEDIMENTATION AS A RESULT OF CONSTRUCTION RELATED DIRT AND DEBRIS.
10. MAINTAIN DUST CONTROL DURING GRADING OPERATIONS.
11. ALL EROSION CONTROL METHODS SHALL COMPLY WITH MPCA AND LOCAL REGULATIONS.
12. IF EROSION AND SEDIMENT CONTROL MEASURES TAKEN ARE NOT ADEQUATE AND RESULT IN DOWNSTREAM SEDIMENTATION, CLEAN OUT DOWNSTREAM STORM SEWERS AND OTHER CONVEYANCE DEVICES AS NECESSARY, INCLUDING ASSOCIATED RESTORATION.
13. INLET PROTECTION DEVICE AT STORM SEWER INLETS. AT THE INLETS TO ALL STORM SEWER STRUCTURES, PROVIDE A PRODUCT FROM THE FOLLOWING LIST OF APPROVED PRODUCTS:
- a. ROAD DRAIN "TOP SLAB", MANUFACTURED BY WIMCO
 - b. ROAD DRAIN "CURB & GUTTER", MANUFACTURED BY WIMCO
 - c. INFRASAFE "SEDIMENT CONTROL BARRIER", MANUFACTURED BY ROYAL ENVIRONMENTAL SYSTEMS, INC.
 - d. INFRASAFE "DEBRIS COLLECTION DEVICE", MANUFACTURED BY ROYAL ENVIRONMENTAL SYSTEMS, INC.
 - e. INFRASAFE "CULVERT INLET PROTECTOR", MANUFACTURED BY ROYAL ENVIRONMENTAL SYSTEMS, INC.
 - f. DANDY SACK, MANUFACTURED BY DANDY PRODUCTS, INC.
 - g. DANDY CURB SACK, MANUFACTURED BY DANDY PRODUCTS, INC.
 - h. OR APPROVED EQUIVAL.
16. PRIOR TO CONSTRUCTION, DELINEATE TURF AND VEGETATED AREAS NOT TO BE DISTURBED WITH ORANGE SNOW FENCE. DO NOT ALLOW CONSTRUCTION TRAFFIC, EQUIPMENT, OR MATERIALS TO UTILIZE, ACCESS, OR OTHERWISE ENTER THE DELINEATED AREAS. MINIMIZE SOIL COMPACTION AND DISRUPTION OF TOPSOIL IN AREAS OUTSIDE THE CONSTRUCTION LIMITS TO COMPLY WITH THE MN CONSTRUCTION STORMWATER PERMIT.
17. MINIMIZE DISTURBANCE TO SITE AND PROTECT EXISTING SITE FEATURES (INCLUDING TURF AND VEGETATION) WHICH ARE TO REMAIN.
18. PROPOSED CONTOURS AND SPOT ELEVATIONS ARE SHOWN TO FINISH GRADE UNLESS OTHERWISE NOTED.
19. PROPOSED ELEVATIONS SHOWN TYPICALLY AS 48.1 OR 48 SHALL BE UNDERSTOOD TO MEAN 1148.1 OR 1148.
20. SPOT ELEVATIONS SHOWN IN PARKING LOTS, DRIVES AND ROADS INDICATE GUTTER GRADES, UNLESS NOTED OTHERWISE. SPOT ELEVATIONS WITH LABELS OUTSIDE THE BUILDING PERIMETER INDICATE PROPOSED GRADES OUTSIDE THE BUILDING. SPOT ELEVATIONS WITH LABELS INSIDE THE BUILDING PERIMETER INDICATE PROPOSED FINISH FLOOR ELEVATIONS.
21. THE CONTRACTOR WILL BE SOLELY RESPONSIBLE FOR DETERMINING QUANTITIES OF CUT, FILL AND WASTE MATERIALS TO BE HANDLED, AND FOR AMOUNT OF GRADING TO BE DONE IN ORDER TO COMPLETELY PERFORM ALL WORK INDICATED ON THE DRAWINGS. IMPORT SUITABLE MATERIAL AND EXPORT UNSUITABLE / EXCESS / WASTE MATERIAL, AS REQUIRED, AT NO ADDITIONAL COST TO THE OWNER.
22. IT IS INTENDED THAT EARTHWORK (CUT VS. FILL) BALANCE ON SITE. SUBMIT THE QUANTITY OF MATERIAL AND AMOUNT OF ANTICIPATED GRADE ADJUSTMENT FOR REVIEW BY THE ENGINEER A MINIMUM OF FOUR WEEKS PRIOR TO MAKING ADJUSTMENTS. ALL GRADE ADJUSTMENTS MUST BE APPROVED BY THE ENGINEER. NO ADDITIONAL COMPENSATION WILL BE ALLOWED FOR WORK ASSOCIATED WITH GRADING ADJUSTMENTS, INCLUDING, BUT NOT LIMITED TO, EARTHWORK OPERATIONS, STORM SEWER PIPING AND STRUCTURE ADJUSTMENTS, CONSTRUCTION SURVEYING FOR ADJUSTING FEATURE LOCATIONS ACCORDINGLY, SILT FENCE, ETC.
23. NO FINISHED SLOPES SHALL EXCEED 4° HORIZONTAL TO 1° VERTICAL (4:1), UNLESS OTHERWISE NOTED.
24. ALL DISTURBED AREAS OUTSIDE THE BUILDING PAD, WHICH ARE NOT DESIGNATED TO BE PAVED OR RECEIVE AGLIME, SHALL RECEIVE AT LEAST 6" OF TOPSOIL AND SHALL BE SODDED OR SEEDDED. REFER TO LANDSCAPING PLANS FOR SOD AND SEED LOCATIONS. AREAS NOT DESIGNATED FOR SOD OR A SPECIFIC SEED MIX, WHICH ARE DISTURBED BY CONSTRUCTION, SHALL BE SEEDDED WITH SEED MIX #1.
25. WHERE NEW SOD MEETS EXISTING SOD, CUT A CLEAN, SHARP EDGE TO ALLOW FOR A CONSISTENT, UNIFORM, AND STRAIGHT JOINT BETWEEN NEW SOD AND EXISTING TURFGRASS. JAGGED OR UNEVEN JOINTS WILL NOT BE ACCEPTED. REMOVE TOPSOIL AT THE JOINT BETWEEN NEW SOD AND EXISTING TURFGRASS, AS REQUIRED, TO ALLOW NEW SOD SURFACE TO BE FLUSH WITH EXISTING TURFGRASS SURFACE.
26. FAILURE OF TURF DEVELOPMENT: IN THE EVENT THE CONTRACTOR FAILS TO PROVIDE AN ACCEPTABLE TURF, RE-SEED OR RE-SOD ALL APPLICABLE AREAS, AT NO ADDITIONAL COST TO THE OWNER, TO THE SATISFACTION OF THE ENGINEER OR LANDSCAPE ARCHITECT.
27. ALL WATERMAIN PIPE SHALL BE DIP, CLASS 52. ALL WATERMAIN SHALL HAVE MINIMUM 8'-0" BURY (TOP OF PIPE TO FINISH GRADE), DIP SHALL BE ENCASED WITH POLYETHYLENE FILM CONFORMING TO ASTM D 1248-889.
28. ALL WATERMAIN SHALL BE AWWA C900, CAST IRON OD, DR 18, PVC PIPE INSTALLED IN ACCORDANCE WITH ASTM D2321. ALL WATERMAIN SHALL HAVE MINIMUM 8'-0" BURY (TOP OF PIPE TO FINISH GRADE).
29. ALL SANITARY SEWER PIPE SHALL BE PVC PIPE (ASTM D 3034, SDR 26), UNLESS OTHERWISE NOTED. SANITARY SEWER INSTALLATION SHALL BE IN ACCORDANCE WITH ASTM D2321.
30. ALL SANITARY SEWER PIPE CROSSING WATERMAIN, OUTSIDE OF THE PUBLIC RIGHT-OF-WAY, SHALL BE ASTM D2665, SCHEDULE 40 PVC WITH SOLVENT WELD JOINTS.
31. ALL STORM SEWER PIPE SHALL BE RCP, CLASS III (MIN.), WITH FLEXIBLE WATERTIGHT JOINTS IN ACCORDANCE WITH ASTM C-361 OR PVC PIPE (ASTM D3034, SDR 35) INSTALLED IN ACCORDANCE WITH ASTM D2321, UNLESS OTHERWISE NOTED.
32. ALL STORM SEWER PIPE CROSSING WATERMAIN, OUTSIDE OF THE PUBLIC RIGHT-OF-WAY, SHALL BE ASTM D2665, SCHEDULE 40 PVC PIPE WITH SOLVENT WELD JOINTS.
33. FLEXIBLE JOINTS AT STORM SEWER PIPE CONNECTIONS TO STRUCTURES:
- a. IN ACCORDANCE WITH MINNESOTA PLUMBING CODE, PROVIDE FLEXIBLE JOINTS AT ALL PIPE CONNECTIONS TO ALL STORM SEWER STRUCTURES.
 - b. ACCEPTABLE MANUFACTURERS / PRODUCTS:
 - i. FERROCO, "CONCRETE MANHOLE ADAPTORS" OR "LARGE-DIAMETER WATERSTOPS"
 - ii. PRESS-SEAL, WATERSTOP GROUTING RINGS"
 - iii. OR APPROVED EQUIVAL.
31. INSTALL WATERMAIN AT LEAST 10 FEET HORIZONTALLY FROM ANY MANHOLE, CATCH BASIN, STORM SEWER, SANITARY SEWER, DRAIN TILE, OR OTHER POTENTIAL SOURCE FOR CONTAMINATION PER MN PLUMBING CODE. THIS ISOLATION DISTANCE IS MEASURED FROM THE OUTER EDGE OF THE PIPE TO THE OUTER EDGE OF THE CONTAMINATION SOURCE (OUTER EDGE OF STRUCTURES OR SIMILAR).
32. INSTALL MANHOLES, CATCH BASINS, STORM SEWER, SANITARY SEWER, DRAIN TILE, AND OTHER POTENTIAL SOURCES OF CONTAMINATION AT LEAST 10 FEET HORIZONTALLY FROM ANY WATERMAIN PER MN PLUMBING CODE. THIS ISOLATION DISTANCE IS MEASURED FROM THE OUTER EDGE OF THE PIPE TO THE OUTER EDGE OF THE CONTAMINATION SOURCE (OUTER EDGE OF STRUCTURES OR SIMILAR).
33. LOCATE ALL EXISTING UTILITIES. VERIFY LOCATION, SIZE AND INVERT ELEVATION OF ALL EXISTING UTILITIES. BEFORE BEGINNING CONSTRUCTION.
34. PRIOR TO CONSTRUCTION OF PROPOSED BUILDING UTILITY SERVICES (STORM, SANITARY SEWER, WATERMAIN), VERIFY ALL PROPOSED BUILDING UTILITY SERVICE PIPE SIZES, LOCATIONS AND ELEVATIONS WITH MECHANICAL PLANS. COORDINATE CONSTRUCTION AND CONNECTIONS WITH MECHANICAL CONTRACTOR.
35. MAINTAIN DRAINAGE FROM EXISTING BUILDING AT ALL TIMES. PROVIDE TEMPORARY STORM SEWER, INCLUDING, BUT NOT LIMITED TO, CATCH BASINS, MANHOLES, PIPING, AND SIMILAR. DO NOT REMOVE EXISTING STORM SEWER UNTIL TEMPORARY OR PERMANENT STORM SEWER IS INSTALLED AND FUNCTIONAL. COORDINATE ALL REMOVALS WITH APPROPRIATE TRADES (SITE UTILITY CONTRACTOR, MECHANICAL CONTRACTOR, ETC) AS REQUIRED.
36. STAKE LIMITS AND WALKS AND CURBING PRIOR TO INSTALLATION OF GATE VALVES, CATCH BASINS, AND MANHOLES. ADJUST GATE VALVE AND MANHOLE LOCATIONS TO AVOID PLACEMENT OF THESE STRUCTURES IN WALKS AND CURB AND GUTTER. STAKE CURB AND GUTTER ALIGNMENTS TO ALLOW CURB INLET TYPE CATCH BASINS TO PROPERLY ALIGN WITH CURB AND GUTTER.

NEW CC FACILITY

STEELE COUNTY
630 FLORENCE AVENUE
OWATONNA, MN 55060



woldac.com | 651 227 7773



7575 GOLDEN VALLEY ROAD, SUITE 200
GOLDEN VALLEY, MINNESOTA 55427
Phone: (763) 544-7129
Email: goldenvalley@bolton-menk.com
www.bolton-menk.com



Project Narrative:

This project is a new Community Corrections Facility for Steele County. It is a one-story, 6,800 square foot pre-engineered metal office building. The property is currently zoned B-2 Community Business but is going through the re-platting process to be rezoned as B-3 to achieve 0'-0" setbacks to the north and east. Additionally, there are three other adjacent lots that we are proposing get replated with this lot into one.



Engineering Department

Date: 09/08/2023

Project: Community Corrections Facility

Preliminary Plat #: PP- 23-6

Staff Review Comments:

Engineering

1. Sewer connection and street opening shall be to the City of Owatonna Standards. Existing service shall be televised prior to connection to ensure viability.
2. All water, storm/sump, or sanitary services not being utilized shall be removed at the respective mains.

Stormwater

3. All new development and redevelopment is subject the following provisions:
 - a. City of Owatonna Stormwater Management Code 52.00.
 - b. City of Owatonna Grading Permit is required.
 - c. Minnesota Pollution Control Agency (MPCA) NPDES/SDS MS4 Permit MNR040000 post construction stormwater management criteria.
 - d. MPCA NPDES/SDS Construction Stormwater General Permit MNR100001.

Please resubmit any revised or updated documentation along with a response to all comments above. Should you have any questions, please call 507.444.4350.

Thank You

Sean Murphy, PE
Director of Public Works and City Engineer



Community Development Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Greg Kruschke, Community Development Manager
SUBJECT: Resolution 84-23: CUP-9 Jail Annex Loading Zone CUP

Purpose:

Approve CUP-9 by Allison Timmins, Wold Architects, on behalf of Steele County, a request for a structured loading area with doors facing the public right of way. Code requires these to be 200' away from the ROW where they are only providing 120' for this structure.

Background:

See Attached staff report.

Budget Impact:

None.

Staff Recommendation:

Staff recommends approval of CUP-9 by Allison Timmins, Wold Architects, on behalf of Steele County, a request for a structured loading area with doors facing the public right of way as recommended by the Planning Commission.

Attachments:

1. Resolution CUP-9 Jail Annex Loading Zone CUP
2. CUP-9 Jail Annex Loading Zone CUP

A RESOLUTION APPROVING CONDITIONAL USE CUP-9

WHEREAS, CUP-9 by Allison Timmins, Wold Architects, on behalf of Steele County, a request for a structured loading area with doors facing the public right of way. Code requires these to be 200' away from the ROW where they are only providing 120' for this structure to locate on the subject property and legally described as follows; and

Lot 1, Block 1, Ebeling Farm Addition No. 2, Steele County, Minnesota

WHEREAS, The Planning Commission held a public hearing on September 12, 2023 and recommended approval of CUP-9; and

WHEREAS, on September 19, 2023, the City Council accepted and approved CUP-9, as the same was approved and recommended by the Planning Commission of the City; and

WHEREAS, the City Council concurs with all of the findings of the Planning Commission and hereby makes the identical findings as referenced in the CUP-9 Staff Report.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Owatonna, Minnesota:

1. That said conditional use permit is in accordance with and conformity to the plans and regulations established by the City and the comprehensive plan for the development of the City.
2. That said conditional use permit be and the same hereby is approved with the following conditions:
 - a) A grading permit will be required prior to commencing of work on the site.
 - b) The applicant will need to provide a review of the stormwater situation on the property.
3. That the Clerk cause a certified copy of this resolution to be filed in the office of the County Recorder of Steele County, Minnesota.

Passed and adopted this 19th day of September, 2023 with the following vote:

Aye __; No __; Absent __.

Approved and signed this 19th day of September, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk

September 8, 2023

To: Planning Commission

From: Community Development Department

RE: CUP-9 by Allison Timmins, Wold Architects, on behalf of Steele County, a request for a structured loading area with doors facing the public right of way. Code requires these to be 200' away from the ROW where they are only providing 120' for this structure.

Application Review:

Applicant/Owner: Wold Architects on behalf of Steele County

Location of Property: 2500 Alexander Drive SW

Zoning Map: I-1, Light Industrial District

Zoning Ordinance: Ordinance 157.054 (5) states that any loading zone within 200' of a public ROW is only permitted by CUP.

Report Attachments:

1. Location Map
2. Aerial Photo
3. Building Elevations
4. Site Plan

Proposed Development:

- CUP-9 by Allison Timmins, Wold Architects, on behalf of Steele County, a request for a structured loading area with doors facing the public right of way. Code requires these to be 200' away from the ROW where they are only providing 120' for this structure.
- Steele County is planning on a 8900 sq ft addition to the east side of the jail annex.
- In addition to the structure being added, parking stalls and a new drive loop are also being added to the site.
- A new access is being proposed on the north side of the site off of 24th Avenue SW. This proposed driveway is aligned with the driveway on the east side of 24th.
- The CUP is required for the loading area on the east side of the addition. These will be garages for the Sheriff's office.
- Four garage stalls are being proposed with overhead doors.
- A row of screening trees are being proposed along the east side of the loop drive as required by code.
- The applicant is providing ample parking on the site.
- The applicant will need to review the stormwater requirements for the property with the additional proposed hard surfacing.

Findings

- ◆ According to the ordinance, a conditional use permit may be granted if the following findings are met:
 - a) The establishment or operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
 - b) The architectural appearance and functional plan of the building and site reflects the building character of the area and will not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot. The proposed development will be compatible with existing and planned use of the area and conflicts will not be created between the proposed use and existing and intended future uses of the surrounding area.
 - c) The traffic generated by this use shall be channelized and controlled in a manner that will avoid congestion on public streets, safety hazards or excessive traffic through residential areas. The traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets. Vehicular access points will be limited, and will create a minimum amount of conflict with through traffic movements and will be subject to the approval of the City Engineer. Vehicular drive up ingress lanes will be large enough to accommodate peak auto use on the same lot without requiring the stopping or waiting of vehicles on public right-of-way. Ingress lanes will be from the least heavily traveled street wherever possible.
 - d) Public services, including but not limited to sewer, water, gas, police, and fire protection, are available at an adequate level and capable of servicing the proposed land use. In addition, adequate access, drainage, and any other necessary support facilities shall be provided.
 - e) All such other or further factors as the City shall deem a requisite or consideration in determining the effect of such use on the general welfare, public health, and safety.

Staff Review:

Staff is recommending approval of this conditional use permit to allow for a loading zone to be located within 200' of a public right of way.

- 1) A grading permit will be required prior to commencing of work on the site.
- 2) The applicant will need to provide a review of the stormwater situation on the property.

Planning Commission:

CUP-9, which is a request by Allison Timmins, Wold Architects, on behalf of Steele County, for a structured loading area with doors facing the public right of way for the property located at 2500 Alexander Street SW, was presented by Community Development Manager Greg Kruschke. Code requires these to be 200' away from the ROW where they are only providing 120' for the structure.

(Refer to report on file.) Public hearing opened at 5:33 pm. No comments were made regarding this request. 5:34 pm. A motion was made by Eickhoff and seconded by Effertz to recommend City Council approval of this conditional use permit to allow for a loading zoning to be located within 200' of a public right of way with the following conditions:

- 1) A grading permit will be required prior to commencing of work on the site.
- 2) The applicant will need to provide a review of the stormwater situation on the property.

All Commissioners voting Aye, the motion carried.

Site Location City of Owatonna



Site



Municipal Limits

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This information is a compilation of records, information, and data located in various city, county, and state offices and other sources, affecting the area shown, and is to be used for reference purposes only.

August 08, 2023

2500 ALEXANDER ST SW
City of Owatonna

PIN: 17-550-0101
Acres: 18.63 ac.



ALEXANDER ST SW

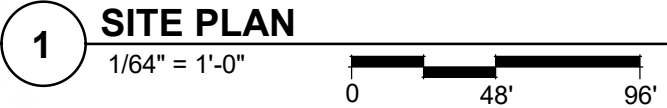
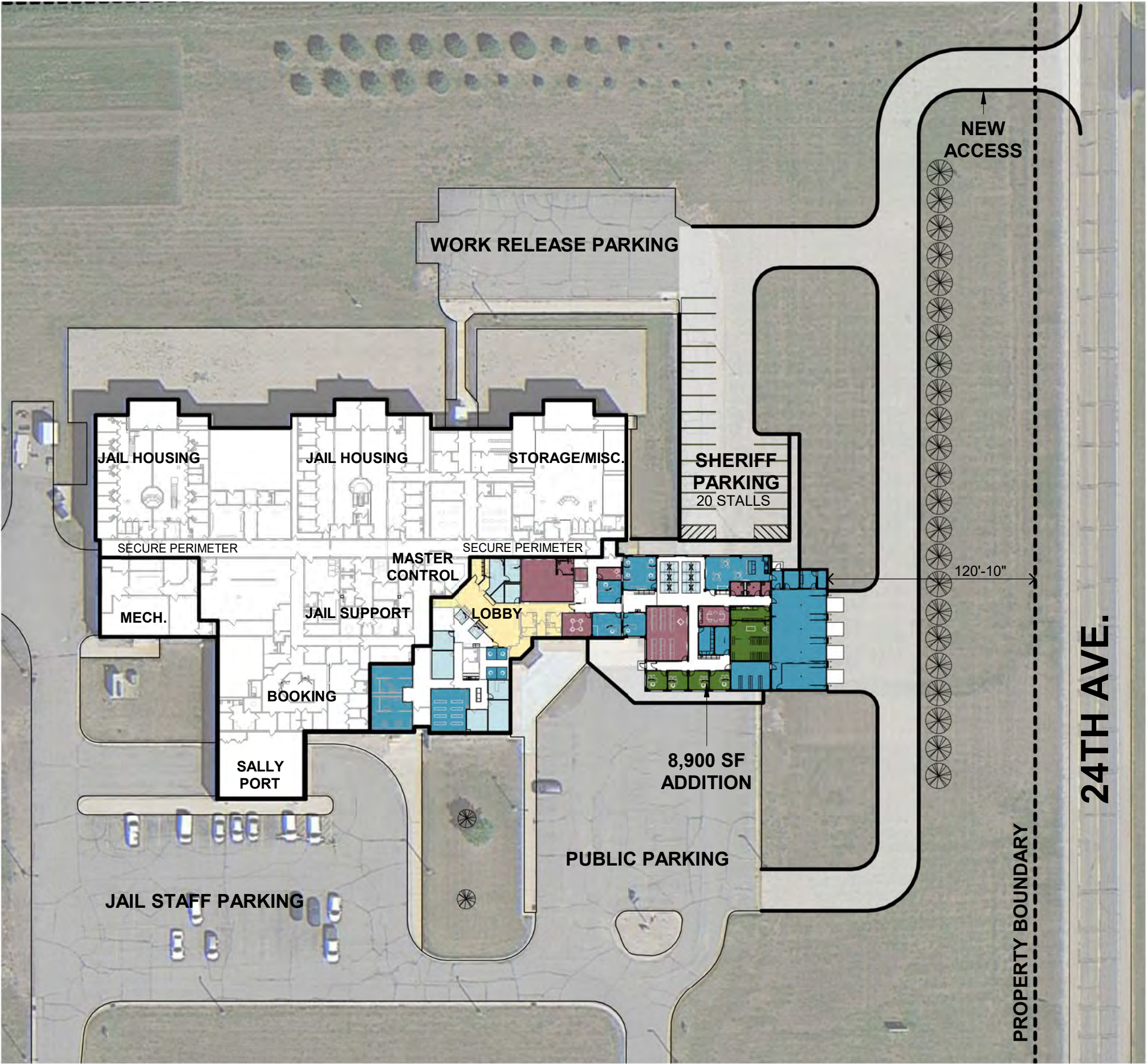
ALEXANDER DR SW

24TH AVE SW



1:2,500
0 50 100 Feet

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This information is a compilation of records, information, and data located in various city, county, and state offices and other sources, affecting the area shown, and is to be used for reference purposes only. The property dimensions are based on the parcel gis data. The Water, Gas, and Electric Systems were provided by Owatonna Public Utilities.



SITE PLAN
UG 1



Project Narrative:

This project takes place at Steele County's existing Detention Center and includes some minimal renovation and an addition for the Sheriff's Department. It is an 8,900 square foot addition that is one-story and will tie into the east side of the existing building. The program includes a squad garage on the east side of the addition with overhead doors facing 24th Avenue. This squad garage qualifies as being in a loading zone and therefore a minimum setback of 200'-0" is required. We are seeking approval of a 120'-0" side yard setback instead since the intent of this squad garage would not be for loading.

STEELE COUNTY

Administration

Administration Center
630 Florence Ave. • P.O. Box 890
Owatonna, MN 55060
Ph. 507.444.7400 • Fax 507.444.7470



Scott Golberg - *County Administrator*

August 4, 2023

To Whom It May Concern,

A new addition is currently being designed for Steele County's existing Detention Center to host their Sheriff's Department. The relocation of the Sheriff's Department to the Detention Center will improve operations and create efficiencies for Steele County. The 8,900 square foot addition is one-story and will tie into the east side of the existing building. The program includes a squad garage on the east side of the addition with overhead doors facing 24th Avenue. According to zoning, this qualifies the squad garage as being in a loading zone, which requires a 200'-0" side yard setback. With the current design, the addition is only 120'-0" away from the property line.

As the current property owner, I am granting approval to proceed with the conditional use permit to seek approval of the 120'-0" setback instead of the required 200'-0" to better suit the needs of this project.

Sincerely,

Scott Golberg
Steele County Administrator

"AN EQUAL OPPORTUNITY EMPLOYER"



Community Development Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Greg Kruschke, Community Development Manager
SUBJECT: Resolution 85-23: CUP-10 Minor PUD Amendment for Mineral Springs Estates

Purpose:

Approve CUP-10 by Craig Britton, Widseth, on behalf of Chad Lange and Prairie La Salle Partners, a request for a minor PUD Amendment for Mineral Springs Estates. The amendment is to change the block of single family attached homes in Block 4 to 9 single family detached units.

Background:

See attached Staff Report.

Budget Impact:

None.

Staff Recommendation:

Staff recommends approval of CUP-10 by Craig Britton, Widseth, on behalf of Chad Lange and Prairie La Salle Partners, a request for a minor PUD Amendment for Mineral Springs Estates as recommended by the Planning Commission.

Attachments:

1. Resolution CUP-10 Mineral Springs Estates Minor PUD Amendment
2. CUP-10 Mineral Springs Estates Minor PUD Amendment

A RESOLUTION APPROVING CONDITIONAL USE CUP-10

WHEREAS, CUP-10 by Craig Britton, Widseth, on behalf of Chad Lange and Prairie La Salle Partners, a request for a minor PUD Amendment for Mineral Springs Estates. The amendment is to change the block of single family attached homes in Block 4 to 9 single family detached units to locate on the subject property and legally described as follows; and

Block 4, Mineral Springs Estates, Steele County, Minnesota

WHEREAS, The Planning Commission held a public hearing on September 12, 2023 and recommended approval of CUP-10; and

WHEREAS, on September 19, 2023, the City Council accepted and approved CUP-10, as the same was approved and recommended by the Planning Commission of the City; and

WHEREAS, the City Council concurs with all of the findings of the Planning Commission and hereby makes the identical findings as referenced in the CUP-10 Staff Report.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Owatonna, Minnesota:

1. That said conditional use permit is in accordance with and conformity to the plans and regulations established by the City and the comprehensive plan for the development of the City.
2. That said conditional use permit be and the same hereby is approved with the following conditions:
 - a) City staff shall approve all street names prior to the plat being recorded.
3. That the Clerk cause a certified copy of this resolution to be filed in the office of the County Recorder of Steele County, Minnesota.

Passed and adopted this 19th day of September, 2023 with the following vote:

Aye __; No __; Absent __.

Approved and signed this 19th day of September, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk

September 8, 2023

To: Planning Commission

From: Community Development Department

RE: CUP-10 by Craig Britton, Widseth, on behalf of Chad Lange and Prairie La Salle Partners, a request for a minor PUD Amendment for Mineral Springs Estates. The amendment is to change the block of single family attached homes in Block 4 to 9 single family detached units. The change lowers the density from 14 units to 9 units in Block 4.

Application Review:

Applicant/Owner: Chad Lange / Prairie LaSalle Partners

Location of Property: East of River Springs Waterpark

Zoning Map: PUD

Report Attachments:

1. Location Map
2. Aerial Photo
3. Building Elevations
4. Site Plan

Proposed Development:

- CUP-10 by Craig Britton, Widseth, on behalf of Chad Lange and Prairie La Salle Partners, a request for a minor PUD Amendment for Mineral Springs Estates. The amendment is to change the block of single family attached homes in Block 4 to 9 single family detached units. The change lowers the density from 14 units to 9 units in Block 4.
- The applicant is also amending the final plat to reflect this change.
- This is the only change within the PUD.
- The applicant has not filed their final plat yet. In completing their due diligence, the developer has heard that they need additional single family detached housing.
- Hence the request to convert these twinhome units.
- This change will add green space overall to the development.
- All of these units will access Dakota Lane NE.
- In the revised PUD document the applicant has added street names. Some of these names are redundant with others already existing within the City. These will need to be changed before an official plat is recorded.

Findings

- ◆ According to the ordinance, a conditional use permit may be granted if the following findings are met:
 - a) The establishment or operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
 - b) The architectural appearance and functional plan of the building and site reflects the building character of the area and will not be so dissimilar to the

existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot. The proposed development will be compatible with existing and planned use of the area and conflicts will not be created between the proposed use and existing and intended future uses of the surrounding area.

- c) The traffic generated by this use shall be channelized and controlled in a manner that will avoid congestion on public streets, safety hazards or excessive traffic through residential areas. The traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets. Vehicular access points will be limited, and will create a minimum amount of conflict with through traffic movements and will be subject to the approval of the City Engineer. Vehicular drive up ingress lanes will be large enough to accommodate peak auto use on the same lot without requiring the stopping or waiting of vehicles on public right-of-way. Ingress lanes will be from the least heavily traveled street wherever possible.
- d) Public services, including but not limited to sewer, water, gas, police, and fire protection, are available at an adequate level and capable of servicing the proposed land use. In addition, adequate access, drainage, and any other necessary support facilities shall be provided.
- e) All such other or further factors as the City shall deem a requisite or consideration in determining the effect of such use on the general welfare, public health, and safety.

Staff Review:

Staff is recommending approval of this minor amendment to the PUD by this conditional use permit to Mineral Springs Estates to change the block of single family attached homes in Block 4 to 9 single family detached units with the following condition:

- 1) City staff shall approve all street names prior to the plat being recorded.

Planning Commission:

CUP-10, which is a request by Craig Britton, Widseth, on behalf of Chad Lange and Prairie La Salle Partners, for a minor PUD Amendment for Mineral Springs Estates, was presented by Community Development Manager Greg Kruschke. The amendment is to change the block of single family attached homes in Block 4 to 9 single family detached homes. The change lowers the density from 14 units to 9 units in Block 4. (Refer to report on file.)

Final Plat of Mineral Springs Estates, which is an 82.72± acre tract of land to be zoned PUD, Planned Unit Development, requested by Prairie LaSalle Partners, owned by Chad Lange, Festal Farms and located east of St. Paul Road and north of Lee Street NE, was presented by Community Development Manager Greg Kruschke. (Refer to report on file.)

Public hearing for both of these requests opened at 5:49 pm. No comments were made regarding these requests. Public hearing closed at 5:50 pm.

A motion was made by Effertz and seconded by Peake to recommend City Council approval of this minor amendment to the PUD by this conditional use permit CUP-10 to Mineral Springs Estates to change the block of single family attached homes in Block 4 to 9 single family detached units with the following condition:

- 1) City staff shall approve all street names prior to the plat being recorded.

All Commissioners voting Aye, the motion carried.

A motion was made by Effertz and seconded by Peake to recommend City Council approval of this final plat of Mineral Springs Estates with the following conditions:

- 1) The final plat shall be recorded within 60 days of the date of approval of the final plat.
- 2) The title opinion shall be approved by the City Attorney prior to recording of the final plat.
- 3) The minor PUD Amendment referred to as CUP-10.
- 4) A development agreement will need to be recorded along with the final plat.
- 5) The plans shall adhere to the approved wetland delineation and replacement plan as determined by the Soil & Water Conservation District.
- 6) Temporary turn arounds are required to be constructed at all dead-end streets that do not connect immediately as required per fire code.
- 7) All conditions included in the City Engineer's memo dated 5/5/2023 shall be met.

All Commissioners voting Aye, the motion carried.

	DENOTES PROPOSED SINGLE-FAMILY DETACHED (R2)
	DENOTES PROPOSED SINGLE-FAMILY ATTACHED (R3)
	DENOTES PROPOSED TOWNHOUSES (R3)
	DENOTES PROPOSED 6 UNIT MULTI-FAMILY (R6)
	DENOTES PROPOSED OPEN SPACE
	DENOTES EXISTING WETLANDS
	DENOTES PROPOSED STORMWATER PONDS

Single-family Detached Lot Size:
Width: 65 ft minimum
Depth: 120' (+/-)
Lot Area: 7,800 sq ft minimum

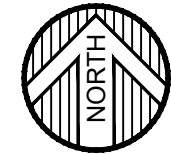
Single-family Attached Lot Size:
Width: 80 ft minimum per pair
Depth: 120' (+/-)
Lot Area: 5,000 sq ft minimum

Townhouse: 4,000 sq ft
6-Unit Multi-family: 1,700 sq ft

Two Stalls per unit

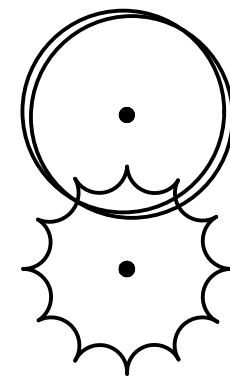
SHADE TREE
APPROVED VARIETIES IN GROUPINGS
OF 1, 3, AND 5 OR AS APPROVED BY
CITY:

- KENTUCKY COFFEE TREE
- THORNLESS, SEEDLESS HONEYLOCUST
- AMERICAN LINDEN
- WHITE OAK

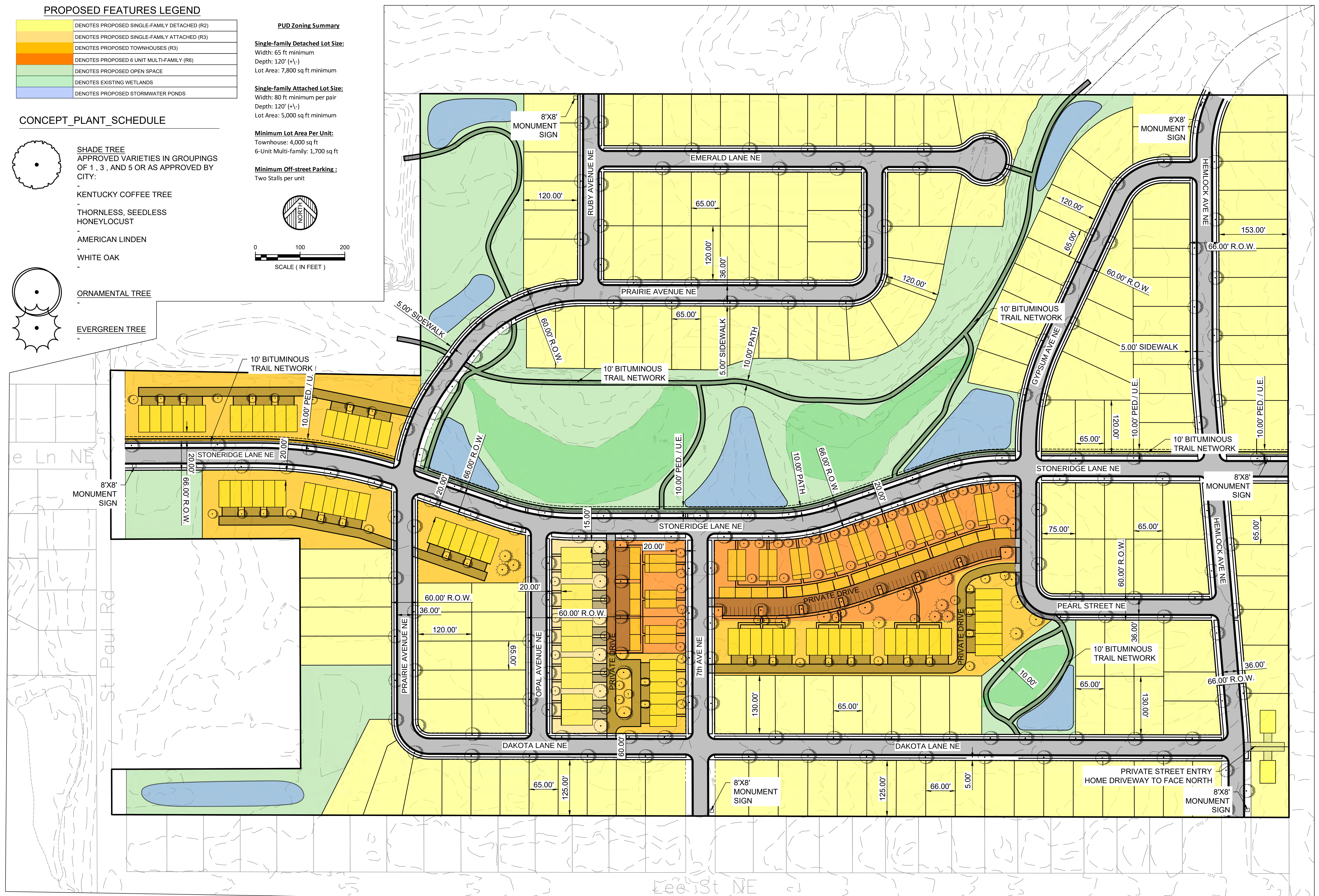


0 100 200

SCALE (IN FEET)

ORNAMENTAL TREE

EVERGREEN TREE



NOT FOR CONSTRUCTION

PUD SITE PLAN - OVERALL

SET NO.
1

CRAIG N. BRITTON DATE: 06/05/2023 LIC. NO. 44228

WIDSETH
ARCHITECTS ■ ENGINEERS ■ SCIENTISTS ■ SURVEYORS

	DENOTES PROPOSED SINGLE-FAMILY DETACHED (R2)
	DENOTES PROPOSED SINGLE-FAMILY ATTACHED (R3)
	DENOTES PROPOSED TOWNHOUSES (R3)
	DENOTES PROPOSED 6 UNIT MULTI-FAMILY (R6)
	DENOTES PROPOSED OPEN SPACE
	DENOTES EXISTING WETLANDS
	DENOTES PROPOSED STORMWATER PONDS

-

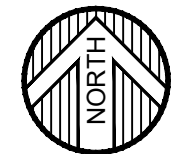
EVERGREEN TREE

Single-family Detached Lot Size:
Width: 65 ft minimum
Depth: 120' (+/-)
Lot Area: 7,800 sq ft minimum

Single-family Attached Lot Size:
Width: 80 ft minimum per pair
Depth: 120' (+\ -)
Lot Area: 5,000 sq ft minimum

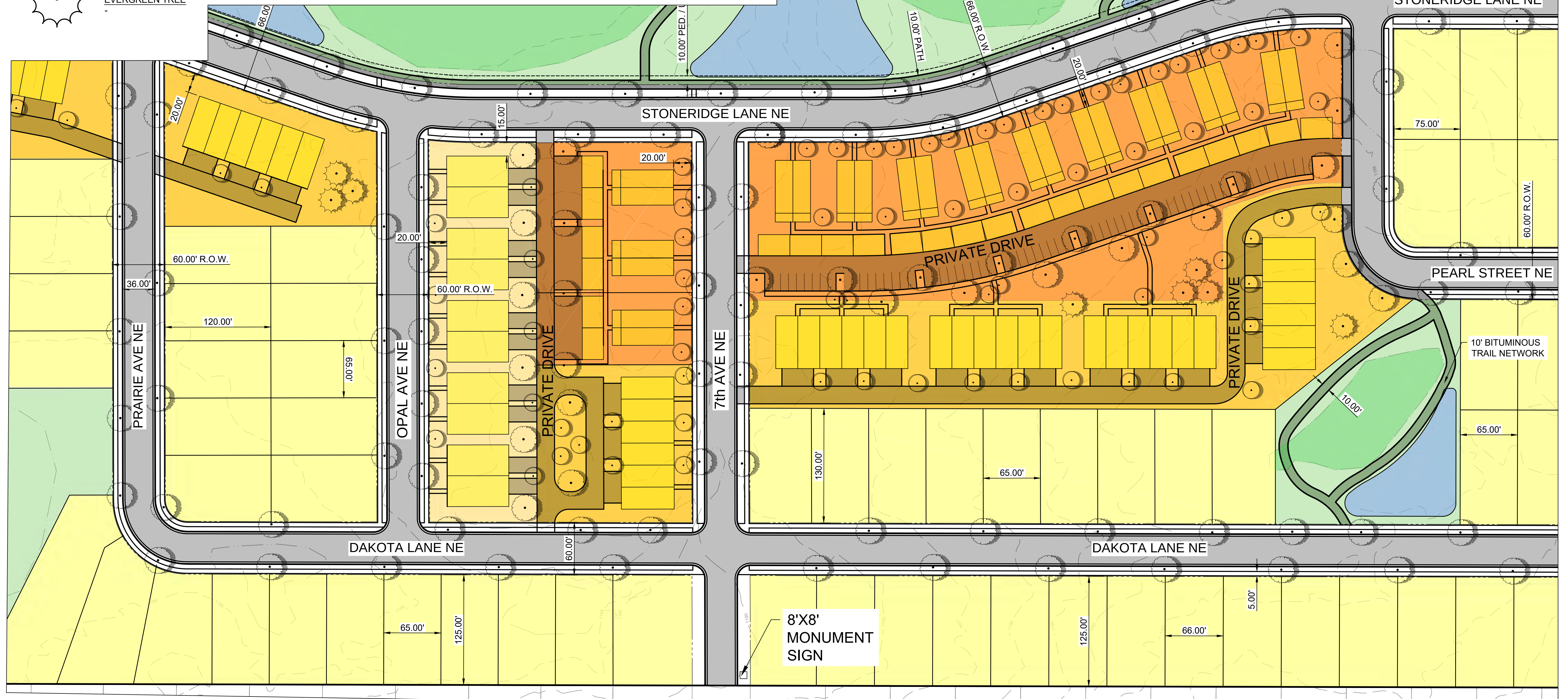
Minimum Lot Area Per Unit:
Townhouse: 4,000 sq ft
6-Unit Multi-family: 1,700 sq ft

Minimum Off-street Parking :
Two Stalls per unit



A horizontal scale bar with a black and white checkered pattern. It has tick marks at 0, 60, and 120. Below the bar is the text "SCALE (IN FEET)".

1. TEMPORARY TURNAROUND DESIGN SHALL BE AT EACH PHASE END.



MINERAL SPRINGS ESTATES		DATE: MAY 2023	RE: DATE
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MINERAL SPRINGS ESTATES, LLC
OWATONNA, MINNESOTA

SHEET NO.

PUD SITE PLAN - ENLARGED

SCALE: AS SHOWN
DRAWN BY: RSH
CHECKED BY: CNB
JOB NUMBER: 2022-11572

CRAIG N. BRITTON DATE: 05/05/2023 LIC. NO. 44228

WIDSETH
ARCHITECTS ■ ENGINEERS ■ SCIENTISTS ■ SURVEYORS

4/20/2023, Revised 5/5/2023, Revised 8/25/2023

To: Greg Kruschke, Community Development Manager, and the City of Owatonna

RE: Mineral Springs Residential Development PUD Narrative – Mineral Springs Estates

Rochester

3777 40th Avenue NW
Suite 200
Rochester MN 55901

507.292.8743
Rochester@Widseth.com
Widseth.com

Dear Mr. Kruschke and members of the City Council,

The proposed final plat and PUD dated 8-25-2023 is an amendment to the previous submittal. The revision involves replacing the 7 previously proposed single family attached dwellings (14 residential units) on the north side of Dakota Lane NE within Phase 1A with 9 single family residential lots. With the proposed revision, we are proposing a multi-phase residential subdivision, with a total of roughly four phases on approximately 83 acres. The land use includes a mix of approximately 172 single family detached homes (54%), 10 single-family attached homes (3%), 66 Townhouse units (11, 6 unit buildings) (21%), 72 Condo units (12, 6 unit buildings) (22%), for a total of approximately 323 units, or 3.89 units per acres. Amenities include approximately 16.6 acres of Open Space (20%) for passive and active recreation with proposed sidewalks, trails and natural areas including wetlands. Some of the wetlands will be removed as part of the natural progression of development, and some will remain and become natural areas to be enjoyed for active recreation activities like walking, biking, running, etc. Open Spaces may also include picnic tables, grills, gazabo's and playground equipment. There are approximately 17.4 acres of proposed roads (21%) within the development. There will be attached and detached garage parking as well as surface parking at a ratio of 2:1, where there will be approximately two off-street parking spaces per every unit. Additionally, all residential buildings will be closer to the front property line than what is currently permitted and create an improved pedestrian-oriented atmosphere by allowing for automobile parking in the rear of all multifamily structures. This will significantly reduce vehicular/pedestrian conflicts.

Phasing will be in approximately four phases. Phase 1 will begin with road and utility infrastructure and the extension of 7th Ave NE and Hemlock Ave NE. It will also include the construction of 33 single-family detached homes, 30 townhome units and 72 condo units, for a total of 135 units. Phase 2 will consist of 24 single-family detached homes, 14 single-family attached homes, and 39 townhomes, for a total of 73 units. Phase 3 and 4 will be strictly single-family detached homes with 62 units in Phase 3 and 53 units in Phase 4.

Typical front yard setbacks will be 20 feet for townhomes, duplexes, and condominiums while the single-family detached will be 25 feet. Side street side yards are proposed to be a minimum of 12.5 feet for townhomes, duplexes, and condominiums lots and 15 ft for single family detached lots. Side-yard setbacks for interior lot lines for single family detached lots will be a minimum of 6 ft, sum of 15 ft. The single-family detached lots will be a minimum of 65 feet wide and 85 feet deep with a lot area of 7,800 SF. The single-family attached lot widths will be a minimum of 70 feet per housing pair, a depth of 70 feet, and a minimum lot area of 2,450 SF. The minimum lot area for the 6-unit townhomes will be 1,400 SF and the 6-unit multi-family condominiums will have a minimum lot area of 1,400 SF. There will be a minimum of 500 SF of usable open space per multi-family unit. Multifamily buildings are proposed to have a minimum building spacing of 12 feet.

List of Waivers:

Single Family Detached (Minimum Requirements):

Lot Width: 65 ft., Lot Depth: 85 ft.

Lot Area: 7,800 sf

Front-Yard Setback: 25 ft.

Side-Yard Side Street: 15 ft, Interior Side-Yard: 6 ft, Sum of 15 ft

Rear-Yard Setback: 25 ft.

Single-family Attached (Minimum Requirements):

Lot Width: 70 ft. per pair, Lot Depth: 70 ft.

Lot Area: 2,450 sf

Front-Yard Setback: 20 ft

Side-Yard Side Street: 12.5 ft

Min. 10 ft between building envelopes

6-plex Condominiums (Flats) (Minimum Requirements):

Lot Width: 20 ft

Lot Area: 1,400 sf

Front Yard Setback: 20 ft.

Accessory Structure: 10 ft. Side Yard Setback, 5 ft between structures, 10 ft from principal structure

Side-Yard Side Street: 12.5 ft

Building Separation: 10 ft

6-plex Townhome (Row Houses) (Minimum Requirements):

Lot Area: 1,400 sf

Front Yard Setback: 20 ft.

Accessory Structure Side Yard: 10 ft

Side-Yard Side Street: 12.5 ft

Building Separation: 10 ft

Monument Signs:

Locations as shown on PUD Exhibit (Public Street Entrances into Mineral Springs Estates Subdivision)

Maximum Message Area 8' width x 8' height

Lighting: Internally lit or spot lighting



Community Development Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Greg Kruschke, Community Development Manager
SUBJECT: Resolution 86-23: Final Plat of Mineral Springs Estates

Purpose:

Approve the revised Final Plat of Mineral Springs Estates.

Background:

See Attached. The applicant is proposing to amend the final plat from 14 single family attached units within Block 4 to 9 single family detached units.

Budget Impact:

None.

Staff Recommendation:

Staff recommends approval of the revised final plat of Mineral Springs Estates as recommended by the Planning Commission.

Attachments:

1. Resolution final Plat -Mineral Springs Estates
2. Mineral Springs Estates FP Staff Report

A RESOLUTION APPROVING FINAL
PLAT OF MINERAL SPRINGS ESTATES

WHEREAS, on July 5, 2023, the City Council accepted and approved the final plat of Mineral Springs Estates to the City of Owatonna, as the same was approved and recommended by the Planning Commission of the City.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Owatonna, Minnesota:

1. That said plat is in accordance with and conformity to the plans and regulations established by the City for a comprehensive plan for the development of the City.
2. That said plat be and the same hereby is approved with the following conditions:
 - a) The final plat shall be recorded within 60 days of the approval.
 - b) The title opinion shall be approved by the City Attorney prior to recording of the final plat.
 - c) The final plat is contingent upon the approval of the Minor PUD Amendment referred to as CUP-10.
 - d) A development agreement will need to be recorded along with the final plat.
 - e) The plans shall adhere to the approved wetland delineation and replacement plan as determined by the Soil & Water Conservation District.
 - f) Temporary turn arounds are required to be constructed at all dead end streets that do not connect immediately as required per fire code.
 - g) All conditions included in the City Engineer's memo dated 5/5/23 shall be met.
3. That the Clerk cause a certified copy of this resolution to be filed in the office of the County Recorder of Steele County, Minnesota, and to be given to the applicants of said plat.

Passed and adopted this 19th day of September, 2023, with the following vote:

Aye ; No 0 ; Absent 0 .

Approved and signed this 19th day of September, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk

June 23, 2023

To: Planning Commission
From: Community Development Department
RE: Final Plat of Mineral Springs Estates

Background

Stephen Wheeler, Prairie LaSalle Partners, and Chad Lange, Festal Farms are requesting preliminary plat approval of Mineral Springs Estates, a 21 lot and 18 outlot residential development of 87.7 acres east of River Springs Waterpark. The property is being replatted into a master planned neighborhood with a multitude of housing types.

The applicant is planning to construct 7th Avenue NE to extend into the property. The east / west street will be constructed with phase 1A as well. Mass grading will occur for all of Phase 1. The Developer has indicated that all construction traffic will be using Outlot E for the grading and infrastructure construction.

Outlots E, G, & H make up what will be called Stoneridge Lane NE. The City views this street as a local collector as well as a key utility corridor. The Sanitary Sewer Study shows a 24" trunk sanitary sewer main is proposed in this right of way. This trunk main is needed to service the land to the east. This main needs to be constructed through this development and will be a requirement of future phases within the development agreement.

The developer has requested a rezoning request for a PUD for all of this land. Details regarding the PUD and full development are included in staff report RZ-2.

Since the Preliminary Plat review, the Final Plat document has been revised to add additional outlots to the plat. The additional outlots reflect the underlying fee title to the property and the different entities that own the property as well as what will be dedicated as future right of way. No other changes have been made.

The applicant has requested this revision to add additional single family detached lots to the development. They are changing the lots on the northside of Dakota Lane NE that were originally 14 twinhome units to 9 single family lots reducing the density by 5 units. All of these single family lots will access Dakota Lane NE.

Application Review:

Applicant/Owner:	Prairie LaSalle Partners / Chad Lange, Festal Farms
Location of Property:	East of St Paul Road and north of Lee Street
Existing Zoning:	PUD, Planned Unit Development
Existing Land Use:	The land is currently vacant.

Report Attachments:	1. Location Maps 2. Final Plat
<u>Proposed Development:</u>	
Size of Subdivision:	87.7± acres
Number of Lots:	21 new lots and 18 Outlots
Lot Configuration:	The lots are generally rectangular in shape. The outlots are irregularly shaped to match future development areas or rights of way.
Street Pattern:	7 th Avenue NE will be extended to service this subdivision. A new public street will be constructed east and west. A private driveway will be constructed for access to the units in Blocks 3 & 4. Temporary turn arounds will need to be constructed on all streets that are dead ends temporarily.
Services:	Services are available in 7 th Avenue NE and will be extended north to service this phase.
Timing/Financing of Development:	The applicant is hoping to record the final plat soon and start construction this fall on phase 1.
Outstanding Assessments:	None.
Floodplain:	None.
Wetlands:	The property has numerous wetlands. Discussion is ongoing between approved delineations, and which one supersedes. The approved delineation and replacement plan will need to be adhered to. The developer is proposing to provide a minimum of a 20' setback from all wetlands.
Storm Water Drainage:	The applicant is proposing to construct stormwater facilities on site to meet the ordinance.
Easements:	The plat proposes perimeter lot easements throughout the development.
County/MNDOT Review:	This plat is not adjacent to a state or county ROW.

Staff Review:

Staff recommends approval of the final plat of Mineral Springs Estates with the following conditions:

- 1) The final plat shall be recorded within 60 days of the date of approval of the final plat.
- 2) The title opinion shall be approved by the City Attorney prior to recording of the final plat.
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Planning Commission:

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Public hearing for both of these requests opened at 5:49 pm. No comments were made regarding these requests. Public hearing closed at 5:50 pm.

A motion was made by Effertz and seconded by Peake to recommend City Council approval of this minor amendment to the PUD by this conditional use permit CUP-10 to Mineral Springs Estates to change the block of single family attached homes in Block 4 to 9 single family detached units with the following condition:

- 1) City staff shall approve all street names prior to the plat being recorded.

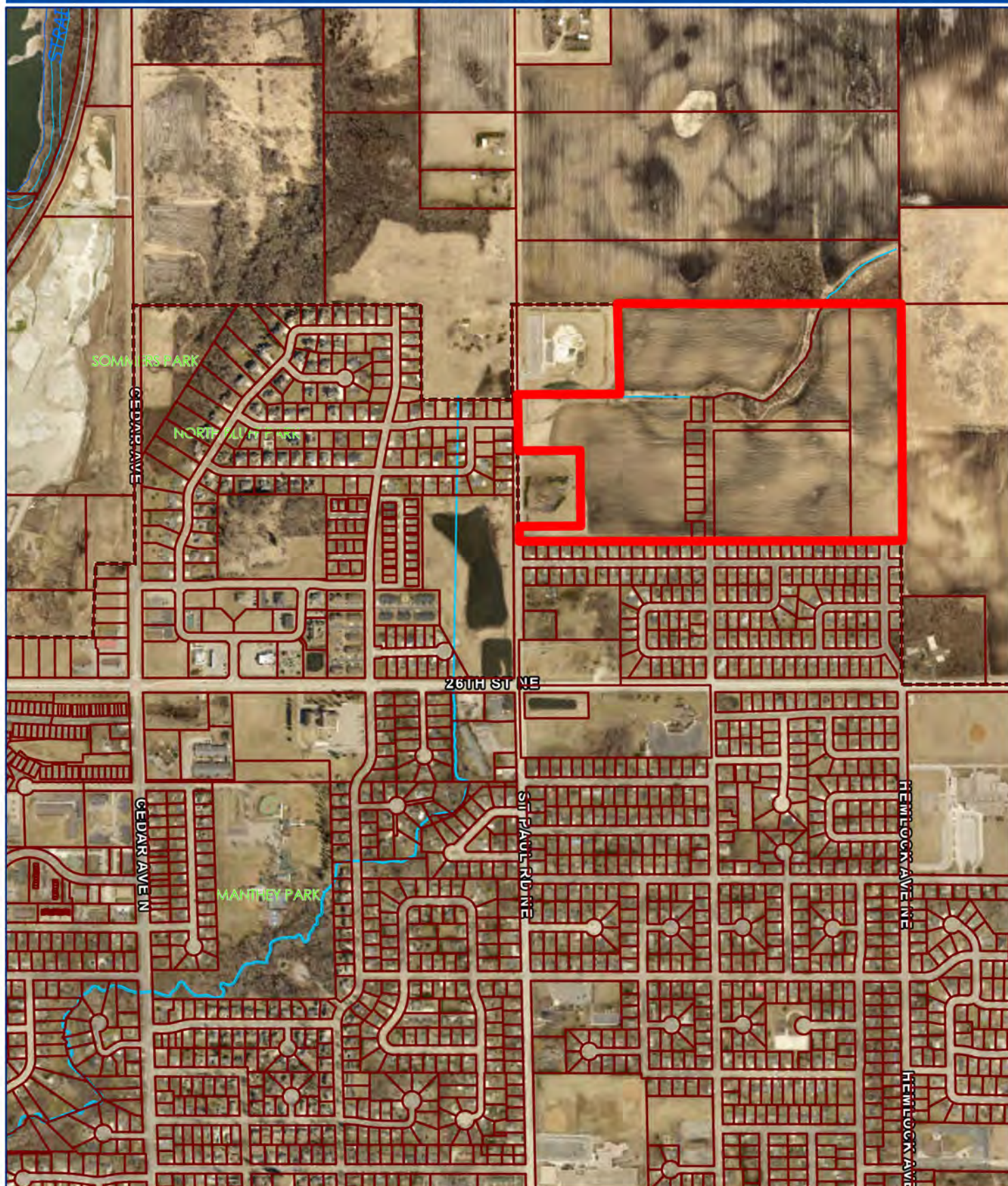
All Commissioners voting Aye, the motion carried.

A motion was made by Effertz and seconded by Peake to recommend City Council approval of this final plat of Mineral Springs Estates with the following conditions:

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- 7) All conditions included in the City Engineer's memo dated 5/5/2023 shall be met.

All Commissioners voting Aye, the motion carried.

Mineral Springs Estates City of Owatonna



Site

April 24, 2023

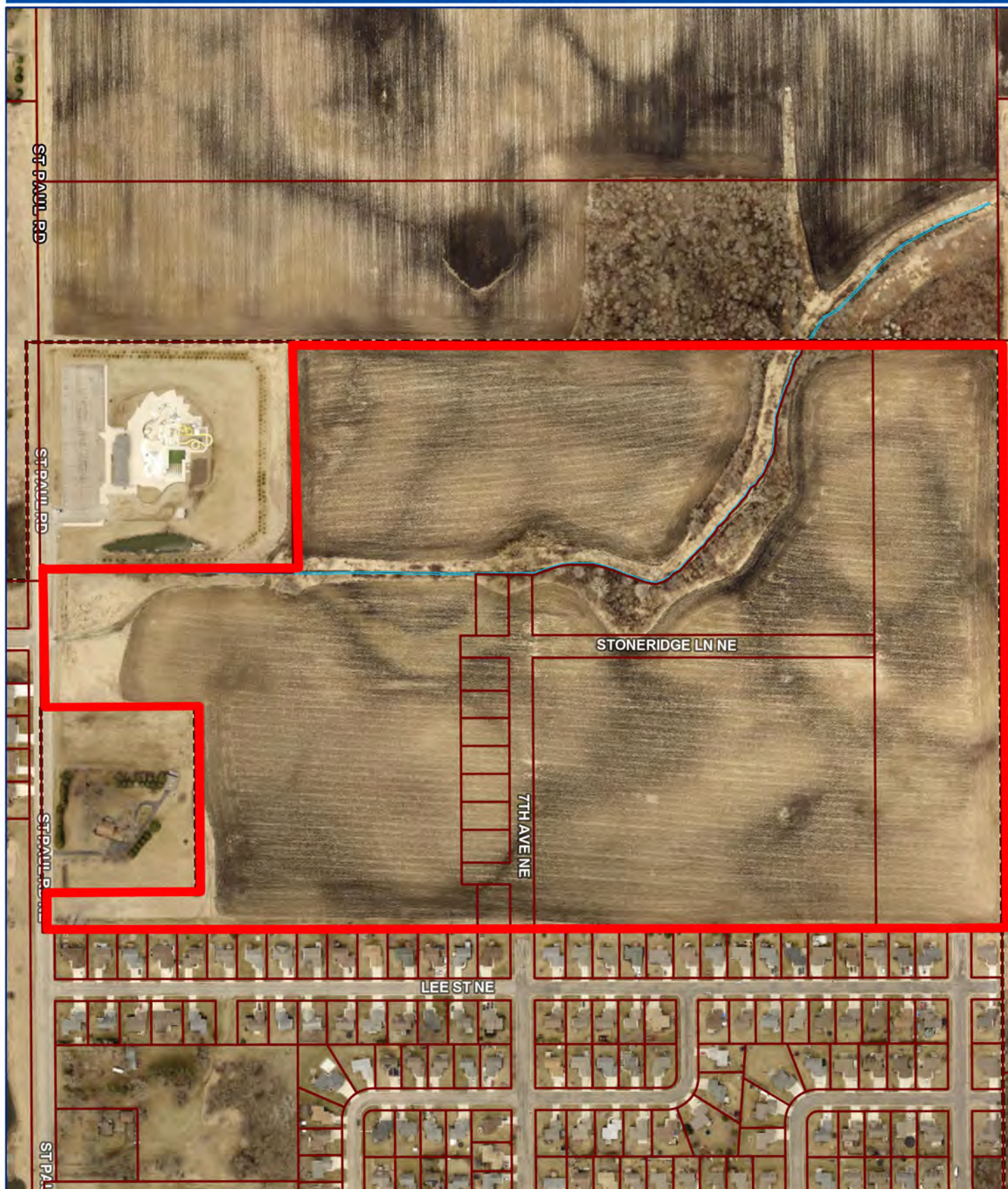


1:15,000

1 in = 1,250 ft

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This information is a compilation of records, information, and data located in various city, county, and state offices and other sources, affecting the area shown, and is to be used for reference purposes only.

Mineral Springs Estates City of Owatonna



Site

April 24, 2023



1:6,000

1 in = 500 ft

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This information is a compilation of records, information, and data located in various city, county, and state offices and other sources, affecting the area shown, and is to be used for reference purposes only.

This is a detailed plat map for Willowbrook Addition No. 2, which is a 1/4 section of Section 34, Township 108 North, Range 20 East. The map is divided into 15 blocks, each containing 15 outlots, for a total of 225 outlots. The layout is as follows:

- Block 1:** Located at the top of the plat, containing outlots 1 through 15.
- Block 2:** Located below Block 1, containing outlots 16 through 30.
- Block 3:** Located below Block 2, containing outlots 31 through 45.
- Block 4:** Located below Block 3, containing outlots 46 through 60.
- Block 5:** Located below Block 4, containing outlots 61 through 75.
- Block 6:** Located below Block 5, containing outlots 76 through 90.
- Block 7:** Located below Block 6, containing outlots 91 through 105.
- Block 8:** Located below Block 7, containing outlots 106 through 120.
- Block 9:** Located below Block 8, containing outlots 121 through 135.
- Block 10:** Located below Block 9, containing outlots 136 through 150.
- Block 11:** Located below Block 10, containing outlots 151 through 165.
- Block 12:** Located below Block 11, containing outlots 166 through 180.
- Block 13:** Located below Block 12, containing outlots 181 through 195.
- Block 14:** Located below Block 13, containing outlots 196 through 210.
- Block 15:** Located at the bottom of the plat, containing outlots 211 through 225.

The map includes several key features and easements:

- Wetlands:** Delineated wetlands are shown with wavy line patterns and labeled "EDGE OF DELINEATED WETLAND (TYP.)".
- Drainage:** Drainage easements are shown with dashed lines and labeled "DRAINAGE EASEMENT". An "APPROXIMATE CENTERLINE OF DRAINAGE DITCH" is also indicated.
- Roads:** "ST. PAUL ROAD NE" runs along the western boundary, and "STONERIDGE LANE NE" runs along the eastern boundary. "7TH AVENUE NE" is located within the central portion of the plat.
- Boundaries:** The plat is bounded by the "NORTH LINE OF THE SE 1/4" to the north and the "WEST 1/4 CORNER OF SEC. 34, TWP. 108 RGE. 20" to the west.
- Other Features:** The map shows the "RIGHT OF WAY OF ST. PAUL ROAD NE", "WILLOW BROOK ADDITION NO. 2", and "WILLOW BROOK ADDITION NO. 3".

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Page 222 of 255

MINERAL SPRINGS ESTATES

KNOW ALL PERSONS BY THESE PRESENTS: That Festal Farms Co, a Minnesota Corporation, and Chadwick and Karen Lange, owners of the following described property:

That part of the Southeast Quarter (SE1/4) of Section 34, Township 108, Range 20, Steele County, Minnesota, described as follows: Beginning at the northeast corner of said SE1/4; thence South 00 degrees 07 minutes 54 seconds East, bearing based on the Steel County Coordinate Database NAD83, 1614.62 feet to the northeast corner of WILLOWBROOK ADDITION NO. 3, according to the plat on file in the Steel County, Minnesota Recorder's Office; thence North 89 degrees 54 minutes 06 seconds West 2633.75 feet along the north line of said WILLOWBROOK ADDITION NO. 3 and along the north line of WILLOWBROOK ADDITION NO. 2 according to the plat on file in said Recorder's Office, to its intersection with the west line of said SE1/4; thence North 00 degrees 10 minutes 39 seconds West 101.50 feet along said west line of the SE1/4; thence North 89 degrees 49 minutes 21 seconds East 423.00 feet; thence North 00 degrees 10 minutes 39 seconds West 514.89 feet, parallel with said west line of the SE1/4; thence South 89 degrees 49 minutes 21 seconds West 423.00 feet to said west line of the SE1/4; thence North 00 degrees 10 minutes 39 seconds West 378.15 feet along said west line of the SE1/4 to the southwest corner of the tract described in Document No. 361141 on file in said Recorder's Office; thence easterly 695 feet, more or less, along the centerline of a drainage ditch also being the south line of said tract described in Document No. 361141 to the southeast corner of said tract described in Document No. 361141; thence North 00 degrees 10 minutes 39 seconds West 631.42 feet along the east line of said tract described in Document No. 361141 to its intersection with the north line of said SE1/4; thence South 89 degrees 54 minutes 13 seconds East 1940.04 feet to the point of beginning. Subject to easements, reservations, or restrictions of record, if any.

Have caused the same to be surveyed and platted as MINERAL SPRINGS ESTATES and do hereby dedicate to the public for public use the public ways and the drainage and utility easements as created by this plat.

IN WITNESS WHEREOF, said Festal Farms Co, a Minnesota Corporation, has caused these presents to be signed by its proper officer this_____

day of _____, 20_____.

Festal Farms Co

Chadwick S Lange, President

State of _____

County of _____

This instrument was acknowledged before me on _____ by Chadwick S Lange, President of Festal Farms Co, a Minnesota Corporation.

Notary Public _____

My Commission Expires: _____

Chadwick S Lange

Karen Lange

State of _____

County of _____

This instrument was acknowledged before me on _____ by Chadwick S Lange and Karen Lange, husband and wife.

Notary Public _____

My Commission Expires: _____

I, Tyler J. Pogreba, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20_____.

Tyler J. Pogreba, Licensed Land Surveyor
Minnesota License Number 60122

State of Minnesota
County of _____

This instrument was acknowledged before me on _____ by Tyler J. Pogreba.

This plat of THE MINERAL SPRINGS ESTATES was approved and accepted by the City Council of the City of Owatonna, Minnesota on this _____ day of

_____, 20_____ and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03 Subd. 2.

Kris M. Busse, City Administrator

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat

has been reviewed and approved this _____ day of _____, 20_____.

Scott A. Tuchtenhagen, County Surveyor, Steele County, Minnesota

No delinquent taxes and transfer entered this _____ day of _____ 20_____.

Brenda Blood, County Auditor, Steele County, Minnesota

I hereby certify that the taxes due and payable for the year 2023 on the land described herein are paid.

Catherine Piepho, County Treasurer, Steele County, Minnesota

Filed in the office of the County Recorder, this _____ day of _____ 20_____.

at _____ o'clock ____ M. in Book _____ of Plats, Page _____ as Document

Number _____.

Rick G. Kvien, County Recorder, Steele County, Minnesota



Administration Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Rhonda Moen, Finance Director
SUBJECT: Resolution 87-23: Authorize Grant Agreement Submission - General Obligation Bonding Funds - Minnesota Public Facilities Authority

Purpose:

Council approval of Resolution 87-23 authorizing the City of Owatonna to submit information to the Minnesota Public Facilities Authority (MPFA) to receive \$11 million on **General Obligation Bonding** funds from the State of Minnesota.

Background:

During the 2023 Minnesota legislative session, the state allocated \$11 million dollars to the City of Owatonna to use towards the Wastewater Treatment Plant expansion. In order to access these funds, the City is required to complete an application. This resolution will authorize us to submit the required information to the MPFA.

Budget Impact:

By receiving these additional funds for the expansion project, it will lessen the impact on the user fees.

Staff Recommendation:

Staff recommends approval of this resolution.

Attachments:

1. Res 87-23 MPFA Grant Agreement - GO Bonding Funds

RESOLUTION NO: 87-23

RESOLUTION AUTHORIZING THE CITY OF OWATONNA TO SUBMIT
INFORMATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY (MPFA)
AND TO ENTER INTO A GRANT AGREEMENT WITH THE MPFA.

WHEREAS, under the provisions contained in Laws of Minnesota 2023 chapter 72,
article 1, section 23, subd. 21, \$11,000,000 was appropriated to the MPFA

“For a grant to the city of Owatonna to design, construct, and equip improvements to
expand and upgrade the city's wastewater treatment facility.”

WHEREAS, to receive this money, the City of Owatonna must submit required
information and enter into a Grant Agreement with the MPFA; and

BE IT FURTHER RESOLVED that the City of Owatonna has the legal authority to apply
for the grant, and the financial, technical, and managerial capacity to ensure proper
construction, operation and maintenance of the project for its design life.

BE IT FURTHER RESOLVED that the Grant Agreement shall be executed on behalf of
the City of Owatonna by the signature of its Mayor and its City Administrator. In the
event of disability or resignation or other absence of either such officer, the Grant
Agreement may be signed by the manual signature of that officer who may act on behalf
of such absent or disabled officer. In case either such officer whose signature shall
appear on the Grant Agreement shall cease to be such officer before delivery of the
Grant Agreement, such signature shall nevertheless be valid and sufficient for all
purposes, the same as if he or she had remained in office until delivery.

I CERTIFY THAT the above resolution was passed and adopted by the City of
Owatonna this _____ day of _____, 2023, with the following vote:

Aye ____; No ____; Absent ____.

Approved and signed this _____ day of _____, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk



Finance Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Rhonda Moen, Finance Director
SUBJECT: Resolution 88-23: Authorize Grant Agreement Submission - General Funds - Minnesota Public Facilities Authority

Purpose:

Council approval of Resolution 88-23 to authorize the City of Owatonna to submit information to the Minnesota Public Facilities Authority (MPFA) to receive \$11 million of **General Fund** funds from the State of Minnesota.

Background:

During the 2023 Minnesota legislative session, the state allocated \$11 million dollars to the City of Owatonna to use towards the Wastewater Treatment Plant expansion. In order to access these funds, the City is required to complete an application. This resolution will authorize us to submit the required information to the MPFA.

Budget Impact:

By receiving these additional funds for the expansion project, it will lessen the impact on the user fees.

Staff Recommendation:

Staff recommends approval.

Attachments:

1. Resolution 88-23 MPFA Grant Agreement - General Funds

RESOLUTION NO: 88-23

RESOLUTION AUTHORIZING THE CITY OF OWATONNA TO SUBMIT
INFORMATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY (MPFA)
AND TO ENTER INTO A GRANT AGREEMENT WITH THE MPFA.

WHEREAS, under the provisions contained in Laws of Minnesota 2023 chapter 72,
article 2, section 10, subd.11a, \$11,000,000 was appropriated to the MPFA

“For a grant to the city of Owatonna to design, construct, and equip improvements to
expand and upgrade the city's wastewater treatment facility.”

WHEREAS, to receive this money, the City of Owatonna must submit required
information and enter into a Grant Agreement with the MPFA; and

BE IT FURTHER RESOLVED that the City of Owatonna has the legal authority to apply
for the grant, and the financial, technical, and managerial capacity to ensure proper
construction, operation and maintenance of the project for its design life.

BE IT FURTHER RESOLVED that the Grant Agreement shall be executed on behalf of
the City of Owatonna by the signature of its Mayor and its City Administrator. In the
event of disability or resignation or other absence of either such officer, the Grant
Agreement may be signed by the manual signature of that officer who may act on behalf
of such absent or disabled officer. In case either such officer whose signature shall
appear on the Grant Agreement shall cease to be such officer before delivery of the
Grant Agreement, such signature shall nevertheless be valid and sufficient for all
purposes, the same as if he or she had remained in office until delivery.

I CERTIFY THAT the above resolution was passed and adopted by the City of
Owatonna this _____ day of _____, 2023, with the following vote:

Aye ____; No ____; Absent ____.

Approved and signed this _____ day of _____, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk



Fire Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Ed Hoffman, Fire Chief
SUBJECT: Resolution 89-23 Declare Costs to be Assessed - Weed and Nuisance Compliance

Purpose:

Declare the cost to be assessed and order preparation of the Proposed Assessments for unpaid weed and nuisance expenditures incurred by the City during 2023.

Background:

The Owatonna Fire Department enforces the city codes for mowing of weeds and grass, other harmful vegetation, and other services by using a mowing service to bring noncompliant properties into compliance.

Budget Impact:

The total assessment amount of \$2,475.98 will reimburse the city for the cost of weed and nuisance enforcement. The City's share of these costs will be \$0.

Staff Recommendation:

Staff recommends approval of Resolution 89-23.

Attachments:

1. Resolution 89-23 Cost Assessed for Mowing

RESOLUTION NO. 89-23

A RESOLUTION DECLARING COST TO BE ASSESSED AND
ORDERING PREPARATION OF PROPOSED ASSESSMENT

WHEREAS, the City has conducted the 2023 Mowing of Weeds, Grasses, and Other Harmful Vegetation on various lots in the City, and the cost of such service is \$2,475.98 so that the total cost of the improvement will be \$2,475.98, and of this cost the City will pay an estimated \$0 as its share of the cost,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Owatonna, Minnesota:

1. The estimated cost of such service to be specially assessed is hereby declared to be \$2,475.98.

2. The City Clerk, with the assistance of the City Fire Chief, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in his office for public inspection.

3. The Clerk shall, upon the completion of such proposed assessment, notify the Council thereof.

Passed and adopted this _____ day of _____, 2023, with
the following vote: Aye ____; No ____; Absent ____.

Approved and signed this _____ day of _____, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk



Fire Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Ed Hoffman, Fire Chief
SUBJECT: Resolution 90-23 Set Date for Public Hearing - Proposed Assessments - Weed and Nuisance Compliance

Purpose:

Set the date for a public hearing for council consideration of the proposed assessments for unpaid weed and nuisance expenditures incurred by the City during 2023.

Background:

The Owatonna Fire Department enforces the city codes on mowing of weeds, grass, other harmful vegetation, and other services by using a mowing service to bring non-compliant properties into compliance.

Budget Impact:

The total assessment amount of \$2,475.98 will reimburse the city for the cost of weed and nuisance enforcement. The City's share of these costs will be \$0.

Staff Recommendation:

Staff recommends approval of Resolution 90-23, setting the public hearing for October 17, 2023.

Attachments:

1. Res 90-23 Set Date PH Proposed 2023 Weed & Compliance

RESOLUTION NO. 90-23

A RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT

WHEREAS, by Resolution No. 89-23, passed by the Council on September 19, 2023, the City Clerk was directed to prepare a proposed assessment of the cost of the 2023 Mowing of Weeds, Grasses, and Other Harmful Vegetation on various lots in the City; and

WHEREAS, the Clerk has notified the Council that such proposed assessment has been completed and filed in his office for public inspection,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Owatonna, Minnesota:

1. A hearing shall be held at a regular City Council meeting to be held on the 17th day of October 2023, in the Gainey Room of the Owatonna Public Library at 7:00 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.

2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.

3. No appeal as to the amount of an assessment to a specific parcel of land may be made unless the owner has either filed a signed written objection to that assessment with the City Clerk prior to the hearing or has presented the written objection to the presiding officer at the hearing.

Passed and adopted this ____ day of _____, 2023, with the following vote:

Aye __; No __; Absent __.

Approved and signed this ____ day of _____, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk



Finance Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Rhonda Moen, Finance Director
SUBJECT: Resolution 91-23: 2024 Proposed City Budget and Levy

Purpose:

Council to set the City levy for 2024 along with adopting the 2024 Proposed Budget.

Background:

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.

An overview of the 2024 proposed budget was presented to the Council on August 15. A more detailed presentation of the budget and levy was presented to the Council during study sessions on August 22, 30 and September 12.

This proposed budget is consistent with the City's strategic plan. The 2024 proposed levy includes an increase of 9.05%. This increase is a reflection of the current growth mode of the City. The City strives to have its levy increase follow growth. After several years of steady growth and moderate levy increases, the City continues to align its levy increases with growth. The current year's estimated growth rate is 7.0%. This follows growth of 17% in 2023.

The primary drivers of the levy are related to personnel and capital needs. Low unemployment rates and strong competition for the workforce requires the City to provide employees compensation and benefits that encourage retention. The 2024 budget will include an annual increase in wages and steps equivalent to roughly 4.5 percent of the overall levy (roughly \$700,000). The City is making some significant advances in addressing an extensive backlog of urgent deferred maintenance on City-owned buildings. Plans are being developed for investing in these buildings to help position the City long-term to address and plan infrastructure needs in a way that delivers the highest value for taxpayers.

The total proposed City levy is \$18,391,113.

The final levy amount and budget will be presented on December 5th at 6:00 p.m. The Council can approve a final levy amount that is lower but not greater than the proposed levy amount.

Budget Impact:

This will set a proposed levy and budget for 2024.

Staff Recommendation:

Approve Resolution 91-23 for the proposed City levy and budget for 2024.

Attachments:

1. Res 91-23 Proposed City Levy and Budget

RESOLUTION NO. 91-23

A RESOLUTION MAKING PROPOSED LEVY OF TAXES AND ADOPTING
PROPOSED BUDGET FOR 2024

BE IT RESOLVED by the City Council of the City of Owatonna, County of Steele, Minnesota:

1. That there is hereby proposed to be levied upon all the taxable property in the City of Owatonna a direct ad valorem tax in the amount of \$15,577,619 for general government, \$ 211,294 PERA rate change, and \$ 2,402,200 for debt retirement, which shall be spread upon the tax rolls and collected in the year 2024.

2. That a budget of \$ 50,871,715 in expenditures for fiscal year commencing January 1, 2024, is being proposed. This budget has been reviewed and potential funding sources identified as well as priorities and programs for 2024.

3. The city council will meet on December 5, 2023 at 6:00 pm to present details on the 2024 budget and receive input from public.

4. That the City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Steele County, Minnesota.

Passed and adopted this ____ day of ____, 2023, with
the following vote: Aye ____; No ____; Absent ____.

Approved and signed this ____ day of ____, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk



Finance Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Rhonda Moen, Finance Director
SUBJECT: Res 92-23 Housing & Redevelopment Authority (HRA) Proposed 2024 Levy and Budget

Purpose:

For City Council to approve Resoluiton 92-23 approving the Proposed 2024 HRA Levy and Budget.

Background:

The HRA is considered a special taxing district and its levy is adopted separately from the City levy. The City Council 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.

An overview of the 2024 proposed budget was presented to council on August 15th. A more detailed presentation of the HRA budget and levy was presented to council on August 22.

The amount of the 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 2022 estimated market value was \$2,332,831,900. The allowable levy would be \$431,573 compared to the requested levy of \$195,000.

The final levy amount and budget will be presented on December 5th at 6:00 p.m.. Council can approve a final levy amount that is lower but not greater than the proposed levy amount.

Budget Impact:

This will set the proposed levy and budget for 2024 for the HRA.

Staff Recommendation:

Staff recommends approval.

Attachments:

1. Res 92-23 Proposed HRA Levy and Budget

RESOLUTION NO. 92-23

A RESOLUTION AUTHORIZING THE LEVY AND APPROVING THE
BUDGET FOR THE HOUSING AND REDEVELOPMENT AUTHORITY
OF THE CITY OF OWATONNA

BE IT RESOLVED by the City Council of the City of Owatonna, Minnesota, that the Housing and Redevelopment Authority of the City of Owatonna is hereby empowered to levy for collection in the year 2024 a tax on the properties of the City in an amount of \$ 200,000 for purposes authorized in Minnesota Statutes 469.001 to 469.047, as authorized in Minnesota Statutes 469.033, Subd. 6.

A budget of \$ 1,689,426 for fiscal year commencing January 1, 2024, is being proposed.

Passed and adopted this _____ day of _____, 2023, with
the following vote: Aye ____; No ____; Absent ____.

Approved and signed this _____ day of _____, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk



Miscellaneous



Administration Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Kris Busse, City Administrator
SUBJECT: 3-Year Strategic Plan: 2024-2026

Purpose:

Approval of Owatonna's three-year strategic plan.

Background:

City Council and staff completed their annual update of the strategic plan through a facilitated planning session held earlier this year. The City Council reviewed the draft plan at the July 5 study session. The City's four Key Focus Areas have remained the same; however, the action plans for each have been updated to prepare for the community's expected growth.

Owatonna is increasingly becoming more of a regional hub for southern Minnesota. The City of Owatonna is preparing to accommodate the community's evolving needs.

The Strategic Plan will continue to be updated annually. Our 2050 Comprehensive Planning process that kicked off recently includes public engagement opportunities to advise on future strategic planning processes and an update to our Vision Statement.

Budget Impact:

The strategic plan is the guiding document for the city budget. It serves as the road map to navigate the challenges ahead, make informed decisions and allocate resources wisely.

Staff Recommendation:

Staff recommends approval of this Strategic Plan.

Attachments:

1. City of Owatonna 2024-2026 Strategic Plan



Strategic Plan

2024 - 2026



The City of Owatonna is committed to providing a community where residents and businesses can thrive. This growing micropolitan consistently ranks among the most livable small towns in the country and serves as a shopping, tourism and healthcare magnet for southern Minnesota. Rich in waterways, woodlands and other recreational areas, its strong community, education and business culture provide a high quality of life. Located in southeastern Minnesota, Owatonna is the county seat for Steele County and is home to several major employers.

OWATONNA.GOV
info@owatonna.gov 507-444-4300

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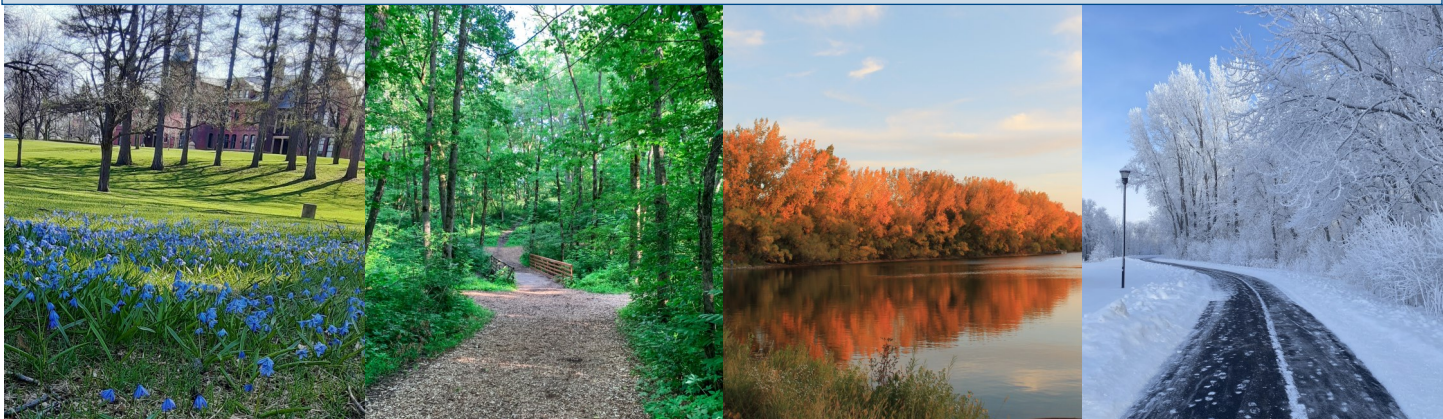
Key Focus Areas:

INFRASTRUCTURE7

ECONOMIC VITALITY8

QUALITY OF LIFE9

EFFICIENT EFFECTIVE GOVERNMENT10



The City of Owatonna's vision, to enhance the quality of life, serves as the foundation for its four Key Focus Areas:
Infrastructure; Economic Vitality;
Quality of Life; Efficient, Effective Government.

MISSION:

Provide a high quality of life by serving the community's needs.

PURPOSE STATEMENT:

WE CREATE A BETTER TOMORROW

CORE VALUES:

Better Together

We are one team of diverse perspectives and talents working to create a better tomorrow for Owatonna. We support each other, listen to understand, and respectfully challenge each other—always recognizing and trusting that we will succeed more as a team than on our own.

Community Stewardship

We are here to proactively care for, protect and serve our community. We understand that our community trusts and empowers us to do our work responsibly, with integrity, and utilize resources effectively and efficiently.

Pride in Our Work

We care, we show up prepared to work and we strive for excellence in all that we do. We commit to continuously learn and improve each day. We believe if it's worth doing, it's worth doing well.



City of Owatonna Elected Officials



Thomas A. Kuntz
Mayor
507-456-5080
mayor@owatonna.gov



Doug Voss
At Large
507-475-0550
doug.voss@owatonna.gov



Dan Boeke
At Large
507-363-1932
daniel.boeke@owatonna.gov



Nathan Dotson
First Ward
507-363-1189
nathan.dotson@owatonna.gov



Greg Schultz
Second Ward
507-456-4584
greg.schultz@owatonna.gov



David Burbank
Third Ward
507-451-3166
david.burbank@owatonna.gov



Kevin Raney
Fourth Ward
507-456-3116
kevin.raney@owatonna.gov



Brent Svenby
Fifth Ward
507-363-1136
brent.svenby@owatonna.gov





Kris Busse

City Administrator

507-774-7340

kris.busse@owatonna.gov

Hello,

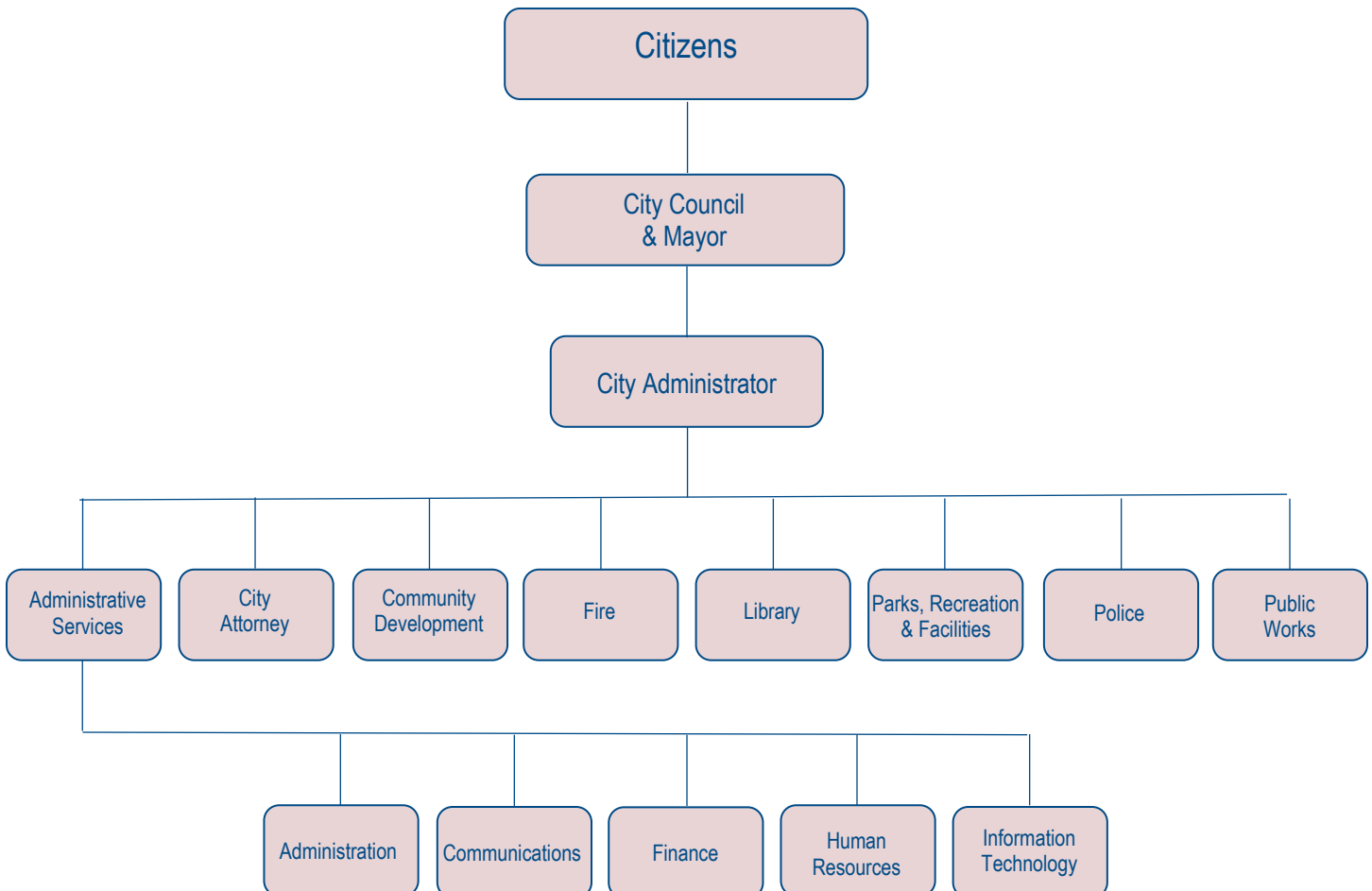
On behalf of the Owatonna City Council, Mayor and City staff, I am pleased to share with you our Strategic Plan that will guide our work through 2026. This year's annual update of the City's Strategic Plan began with a facilitated planning session in February that involved discussions with department directors and elected officials to develop high-level priorities. Since then, we have refined those priorities and developed a system to track and report progress on them.

The City's four Key Focus Areas have remained the same; however, the action plans for each have been updated to prepare for the community's expected growth. Owatonna is increasingly becoming more of a regional hub for southern Minnesota. The City of Owatonna is preparing to accommodate the community's evolving needs with development goals planning to reach population goals of 30,000 residents before 2030 and 40,000 before 2040. With added growth, we need to prepare to expand our services, infrastructure, recreational facilities and programs. We are committed to continuing to provide a community that welcomes and serves all of our residents, visitors, commuters and business leaders.

The Strategic Plan will continue to be updated annually. Our 2050 Comprehensive Planning process that kicked off recently includes public engagement opportunities to advise future strategic planning processes and an update to our Vision

Statement. We invite community members to attend meetings, participate in surveys, focus groups and online engagement opportunities and, as always, contact staff, your City Council Member or the Mayor to ensure your voice is heard in City decision-making. Thank you for choosing Owatonna and helping make this community a great place to call home!

City Departments & Organizational Structure



Strategic Planning

Owatonna's Mayor and City Council worked with the City Administrator and staff to develop this three-year Strategic Plan with a vision toward the future. The vision, to plan for continued growth, serves as a foundation to align its efforts and resources to accomplish its goals in four Key Focus Areas. This plan sets a course to ensure the City of Owatonna's vision is accomplished.

KEY FOCUS AREAS & GOALS



Infrastructure: Develop and implement fiscal sustainability policies that guide investments in facilities and utilities supporting core services that proactively ensure residents' health, safety and welfare.



Economic Vitality: Collaborate with other public and private entities to drive economic development that attracts, retains and creates quality jobs to ensure a diverse economic base and a resilient, growing city tax base.



Quality of Life: Maximize resources that accentuate Owatonna's intrinsic assets to provide quality amenities, services and programs that make it convenient for residents to enjoy art, cultural and recreational activities.



Efficient, Effective Government: As good stewards of taxpayer dollars, function as an innovative, responsible and customer-focused government that works collaboratively to meet the community's needs.



Key Focus Area:



Fiscal Year 2024-2026 Key Goals:	Fiscal Year 2024-2026 Action Plan:
<i>Develop a sustainable asset management plan for current and future needs</i>	• Develop strategy for prioritization for all City needs, facilities, equipment, infrastructure • Evaluate long-term facility plan including funding strategies • Evaluate assessment process to determine viable alternatives (i.e. franchise fees or levy increase) • Develop annual preventive maintenance program and standards for all City facilities • Minimize risk to City facilities located in a floodplain
<i>Provide a transportation system of roads, trails and sidewalks that aligns with growth</i>	• Maintain average Pavement Management Index (PMI) of 70 • Partner with Steele County on developing 29th Avenue and a trail • Develop Capital Improvement Plan for signal lighting system • Update 2012 Sidewalk & Trail Plan and implement in accordance with established priorities
<i>Provide wastewater capacity that aligns with projected growth</i>	• Identify collection system capacity constraints and develop Capital Improvement Plan • Manage the Wastewater Treatment Plant expansion project • Continue enhancing training program to meet plant's staffing needs • Identify collection system expansion areas and prioritize according to projected development
<i>Establish a stormwater resilient community</i>	• Complete engineering studies to address local flooding and stormwater issues • Develop stormwater Best Management Practices Maintenance Plan and Capital Improvement Plan • Enhance Stormwater Education Outreach Plan

Key Focus Area:



**Fiscal Year
2024-2026
Key Goals:**

Implement community growth strategies (new key goal)

**Fiscal Year
2024-2026
Action Plan:**

- Continue infrastructure investment to facilitate business growth downtown—utilities, streetlights and downtown parking lot
- Facilitate and continue incentive programs for expansion, relocation and retention of businesses
- Collaborate on increased utilization of makers spaces at Owatonna Public Library's and Owatonna Area Business Development Center
- Review and amend zoning and subdivision ordinance to support growth and equity
- Increase types of housing including affordable throughout Owatonna
- Assist in developing community assets
- Develop parkland development policy
- Development and redevelopment of commercial areas and vacant properties

Create a vibrant downtown

- Support the Main Street Program in partnership with the Chamber to enhance the Downtown experience
- Continue utilizing Economic Development Agency loan funds for redevelopment of the downtown and riverfront areas
- Pursue proactive opportunities for redevelopment that provide long-term solutions
- Pursue beautification efforts in the downtown area
- Continue the implementation of Streetscape Plan throughout downtown

Key Focus Area:



Fiscal Year 2024-2026 Key Goals:	Fiscal Year 2024-2026 Action Plan:
<i>Provide quality amenities, services and programs</i>	• Create a wish book for new or enhanced amenities • Develop collaborative programming across all departments • Obtain regional park Sstatus for Lake Kohlmeier, Morehouse and Kaplan Woods • Maximize grant opportunities for programs and amenities • Develop library remodeling plan to better align with community needs • Explore new and existing partnerships to meet community needs • Develop service level standards and agreements with partners
<i>Commit to providing a safe community</i>	• Engage with community members to build trust, strengthen relationships and provide information • Ensure staffing levels align with community growth and needs • Strive to maintain a crime rate lower than comparable cities and the region • Develop a plan to address areas of opportunity identified in the 2023 ISO audit • Develop a plan to address public safety building space needs • Develop Continuity of Operation Plan for the City • Pursue strategic removal of homes in floodplain • Develop plan to increase use of security cameras
<i>Enhance external Communications & engagement</i>	• Implement community-wide brand • Continually improve website for better utilization • Refine and expand social media and engagement strategies • Implement public access programming on web-based platform and enhance programming • Assess effectiveness of two-way communication methods and refine strategies • Conduct community satisfaction survey • Adopt a Crisis Communications Plan • Ensure timely responses to citizen requests

Key Focus Area:



Fiscal Year 2024-2026 Key Goals:	Fiscal Year 2024-2026 Action Plan:
<i>Become an employer of choice</i>	• Proactively monitor staffing statistics • Develop a long-term staffing plan that aligns with the Comprehensive Plan • Analyze organizational structure • Incorporate Core Values into people systems—hiring, evaluation, development • Expand staff development • Promote collaboration and continuous improvement across organization • Commit to enhancing a positive workplace culture
<i>Leverage technology to improve efficiency, effectiveness and data security</i>	• Ensure staff are trained to fully utilize all technology available to them • Improve website accessibility, useability and public communication • Develop formal Cyber-security Plan
<i>Ensure current and future fiscal sustainability</i>	• Balance long-term goals with short-term needs • Continue to develop policies to promote fiscal sustainability—capital asset replacement, debt, fund balance, budget • Consider local option sales tax and evaluate most appropriate project • Continue long-term strategy for tax levy to follow growth • Monitor property tax competitiveness



Public Works Department

DATE: September 19, 2023
TO: Mayor and City Council
FROM: Sean Murphy, Public Works Director
SUBJECT: Wastewater Treatment Facility Expansion Change Order #7 - Rice Lake Construction

Purpose:

Requesting City Council approval of Change Order #7 for the Wastewater Treatment Facility Expansion Project.

Background:

The plans and specifications had conflicting information for coating systems. The coating systems that were bid were based on a partially incorrect schedule in the specifications.

Budget Impact:

The budget impact is \$115,116.46 and will come from the sewer fund.

Staff Recommendation:

Staff recommends approval.

Attachments:

1. WWTF - Change Order #7

CHANGE ORDER NO. 7

Owner: City of Owatonna Owner's Project No.: 17017
Engineer: Nero Engineering Engineer's Project No.: 10044
Contractor: Rice Lake Construction Group Contractor's Project No.: 2214
Project: Owatonna WWTF Upgrade and Expansion
Contract Name: Owatonna WWTF Upgrade and Expansion
Date Issued: Effective Date of Change Order: 9/14/2023

The Contract is modified as follows upon execution of this Change Order:

Description:

Work Change Directives No. 41.

Attachments:

Change Order Log – 9-14-2023. Work Change Directive No. 41.

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ 55,720,600.00	Original Contract Times: Substantial Completion: 03/31/2025 Ready for final payment: 06/30/2025
[Increase] [Decrease] from previously approved Change Orders No. 0 to No. 5 \$ 548,338.09	[Increase] [Decrease] from previously approved Change Orders No.0 to No. 5: Substantial Completion: _____ Ready for final payment: _____
Contract Price prior to this Change Order: \$ 56,268,938.09	Contract Times prior to this Change Order: Substantial Completion: 03/31/2025 Ready for final payment: 06/30/2025
[Increase] [Decrease] this Change Order: \$ \$115,116.46	[Increase] [Decrease] this Change Order: Substantial Completion: _____ Ready for final payment: _____
Contract Price incorporating this Change Order: \$ 56,384,054.55	Contract Times with all approved Change Orders: Substantial Completion: 03/31/2025 Ready for final payment: 06/30/2025

Recommended by Engineer (if required)

By: Jennifer Svennes, PE 
Title: Lead Process Engineer
Date: 9/14/2023

Authorized by Owner	Approved by Funding Agency (if applicable)
By: _____	_____
Title: _____	_____
Date: _____	_____

EJCDC® C-941, Change Order.

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and American Society of Civil Engineers. All rights reserved.

Owatonna WWTF Upgrade and Expansion

Change Order Log

Printed: 9/14/2023

Original Contract Cost

\$55,720,600.00

CO #	WCD No.	Date	Description	WCD Cost	Approved	CO Cost	Revised Contract Cost
1	15	5/30/2022	SUEZ Price Escalation	\$252,500.00	Yes	\$252,500.00	\$55,973,100.00
2	2	8/19/2022	Field Order No.1	\$581.15	Yes	-\$89,899.14	\$55,883,200.86
	3	8/22/2022	Field Order No.3	-\$12,511.72			
	4	8/19/2022	Field Order No.4	\$53,409.75			
	5	8/25/2022	Field Order No.2	\$3,329.18			
	7	8/25/2022	RFI #29	-\$11,092.99			
	8	9/30/2022	MBR Tank Drain Valves	\$16,853.62			
	9	9/30/2022	Field Order No.9	\$9,613.92			
	10	9/30/2022	Grating Width Changes and Perm Wall Pipe	-\$6,944.33			
	12	10/25/2022	Backwash Tank and Chemical Storage Building - Opt. 1&2	\$75,579.50			
	13	10/25/2022	RFI #25	\$13,737.58			
	14	10/16/2022	Additional Window in Admin Building	\$21,862.56			
	16	11/28/2022	Directionally Drill 10" MBR Drain Line	-\$17,903.83			
	17	11/28/2022	Increase Size of Tunnel Opening at RWC	\$3,835.98			
	19	12/22/2022	RFI No. 45 - Hardware Material Change	-\$240,249.52			
3		6/22/2023	Wage Rate Update	\$0.00	Yes	\$0.00	\$55,883,200.86
4	1	6/23/2023	Contaminated Soil Removal	\$193,738.62	Yes	\$265,957.79	\$56,149,158.65
	6	6/23/2023	Additional Granular Fill	\$72,219.17			
5	32	6/23/2023	Vaughan Price Escalation	\$3,535.00	Yes	\$3,535.00	\$56,152,693.65
6	18	4/3/2023	Field Order No. 8	\$60,677.57	Yes	\$116,244.44	\$56,268,938.09
	21	12/22/2022	Additional Pipe Support for Increased Size of Tunnel Opening at RV	\$3,786.97			
	22	2/17/2023	FO #12 - Omit Ductwork in Tunnel between RWC and DTC	-\$12,442.85			
	24	2/17/2023	Add MBR Blower Inlet Dampers	\$2,042.52			
	26	3/7/2023	AB Blower Piping Expansion Joints	\$34,243.47			
	27	4/3/2023	MLS Bonnetless Knife Gate Valves	-\$49,439.50			
	29	4/12/2023	FSB Roof Drain Piping	\$7,125.53			
	33	6/23/2023	RFI #117 - Weirs and Anchors	\$13,435.27			
	34	6/23/2023	Field Order Directive #14	\$3,659.69			
	35	6/23/2023	Field Order Directive #13	\$33,902.50			
	36	6/23/2023	MBR Influent Channel additional grout	\$16,029.48			
	37	6/23/2023	FSB Flexible Chutes	\$3,223.79			
7	41	9/14/2023	Coating System Changes	\$115,116.46	No	\$115,116.46	\$56,384,054.55

WORK CHANGE DIRECTIVE NO.: 41

Owner:	City of Owatonna	Owner's Project No.:	17017
Engineer:	Nero Engineering	Engineer's Project No.:	10044
Contractor:	Rice Lake Construction Group	Contractor's Project No.:	2214
Project:	Owatonna WWTF Upgrade and Expansion		
Contract Name:	Owatonna WWTF Upgrade and Expansion		
Date Issued:		Effective Date of Work Change Directive:	9/14/2023

Contractor is directed to proceed promptly with the following change(s):

Description:

The plans and specifications had conflicting information for coating systems. The coating systems that were bid were based on a partially incorrect schedule in the specifications.

Attachments:

WCD Proposal No. 41.

Purpose for the Work Change Directive:

The purpose of this WCD is to correct the coating systems. Add coatings to MBR rooms per attached schedule and drawings. Revise all System 10 (Duraplate 235) coatings to Macropoxy 646 (net deduct).

Directive to proceed promptly with the Work described herein, prior to agreeing to change in Contract Price and Contract Time, is issued due to:

☐ Non-agreement on pricing of proposed change. ☒ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price:	\$115,116.46	[increase] [decrease] [not yet estimated]
Contract Time:	0 days	[increase] [decrease] [not yet estimated]

Basis of estimated change in Contract Price:

☒ Lump Sum ☐ Unit Price ☐ Cost of the Work ☐ Other

Recommended by Engineer

Authorized by Owner

By: Jennifer R. Shermes

Title: Lead Process Engineer

Date: 9/14/2023



22360 COUNTY ROAD 12 • PO BOX 517 • DEERWOOD, MN 56444 • PH 218-546-5519 • FX 218-546-7016

9/5/2023

Nero Engineering
7135 Madison Ave W
Minneapolis, Minnesota

Re: City of Owatonna WWTF
RLCG Project #2214
WCDP#041

Dear Nero Engineering:

Rice Lake Construction Group proposes to furnish labor, material, and equipment to complete the revised coating schedule emailed on 9/1/2023 & updated on 9/13/2023. See attached documentation.

All for the sum of: \$115,116.46

See attached documentation.

Sincerely,
RICE LAKE CONSTRUCTION GROUP

Jaime Barry
Project Manager



22360 County Road 12, PO Box 517
Deerwood, MN 56444

CHANGE ORDER PROPOSAL

DATE: 9/13/2023

WCD #: 41

PROJECT NAME: Owatonna WWTF

RLCG PROJECT #: 2214

DESCRIPTION	QTY	UNIT	LABOR				MATERIAL		SUBCONT. TOTAL	EQUIP TOTAL	LINE	TOTAL
			RATE	HOURS	\$ RATE	TOTAL	RATE	TOTAL				
				0.00	\$ -	\$0.00	\$ -	\$0.00	\$ -	\$ -		\$0.00
Changed Paiting Systems - Fresh Blast	-1.00	LS		0.00	\$ 90.00	\$0.00	\$ -	\$0.00	\$ 107,851.00	\$ -		\$107,851.00
	1.00	LS		120.00	\$ 90.00	\$10,800.00	\$ 8,763.75	\$8,763.75	\$ -	\$ 1,250.00		\$20,813.75
Scaffolding - MBR Cassett Area (anticipated added 3 weeks to rental - charging 3/4 of a month)				0.00	\$ 90.00	\$0.00	\$ -	\$0.00	\$ -	\$ -		\$0.00
Switch from System 10 to Macropocy 646 (all areas - whole project)	-1.00	LS		0.00	\$ 90.00	\$0.00	\$ -	\$0.00	\$ (9,800.00)	\$ -		(\$9,800.00)
Remove Floor Coatings from FSB Room 301 - email confirmation from Nero	-1.00	LS		0.00	\$ 90.00	\$0.00	\$ -	\$0.00	\$ (14,589.00)	\$ -		(\$14,589.00)
				0.00	\$ 90.00	\$0.00	\$ -	\$0.00	\$ -	\$ -		\$0.00
Misc. Small Tools and Mat'l 5% of Labor	1.00	ea	5.00%									\$ 540.00
Sales Tax	1.00	ea	7.375%									\$ 646.33
Totals				120.00		\$ 10,800.00		\$ 8,763.75	\$ 107,851.00	\$ 1,250.00		\$105,462.08
												\$ 5,392.55
												\$ 3,122.06
												\$ 1,139.77
												\$115,116.46

Work Days Requested 10.0