

## **Owatonna City Council Minutes**

### **January 16, 2024**

On Tuesday, January 16, 2024, at 7:00 p.m., Council President Schultz called the regular session of the Owatonna City Council to order in the Chambers of the Charles S. Crandall Center. Present were Council Members Raney, Svenby, Voss, Dotson, Burbank, Boeke, and Schultz; Mayor Kuntz; Public Works Director Murphy; Parks, Recreation & Facilities Director Tuma; IT System Administrator O'Connor; Sergeant Zackary Schumaker; City Attorney Walbran; City Administrator Busse and Administrative Coordinator Clawson.

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

### **RECOMEND NEW BOARD/COMMISSION MEMBERS**

Mayor Kuntz commented that there are currently three openings on various city boards as previous members resigned. Applicants were interviewed and background verifications successfully completed for recommendation for appointment for these individuals to fulfill the remaining term of the current open seat:

Economic Development Authority (EDA) - Patrick McDermott – term ends September 30, 2025

Housing Redevelopment Authority (HRA) - Lindsay Schultz term ends April 30, 2024

Park Board - Eileen Wohlenhaus - term ends April 30, 2025

Council Member Raney made a motion to approve appointment as recommended, Council Member Dotson seconded the motion. Council President Schultz commented his daughter-in-law's name is also Lindsay Schultz and he is not related to Ms. Schultz being recommended to the HRA. With no additional comments, all members voted aye for approval. Patrick McDermott and Lindsay Schultz were present to receive the Oath of Office administered by Mayor Kuntz.

### **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 – January 2, 2024

Minutes - Airport Commission Meeting - December 12, 2023

Minutes - Library Board Meeting - December 21, 2023

Monthly Report - Building Inspection - December 2023

Exempt Permit - Raffle Owatonna Area Chamber of Commerce and Tourism  
- February 18, 2024

Event Permit - Bob Fest - Foremost Brewery - February 24, 2024

Temporary Liquor License - St Mary's School - April 20, 2024

Continuation of Consent Agenda Items:

Engagement Letter - Business Email - McDonald Hopkins to assist in analyzing and responding to a business email compromise

Resolution 5-24: Authorize Contract for Purchases - Fame Awards - \$717.50

Software Subscription Services Agreement - Club Caddie – a one-year agreement software subscription services at Brooktree Golf Course

Employee Assistance Program (EAP) Agreement - TELUS Health - Services will include 24-hours a day, 7 days a week toll-free phone access to EAP for crisis counseling, risk assessment, and matching to appropriate providers. Topics include but are not limited to stress & life management, mental health support, resiliency coaching, financial consultation, and online self-directed wellness programs. The coverage will also include manager and key personnel consultations (24/7/365).

Council Member Boeke made a motion to approve these Consent Agenda items, Council Member Svenby seconded the motion. Council Member Voss recused himself as Resolution 5-24 authorizes purchases from his business; all members voting 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 \$1,945,142.82, Council Member Boeke made a motion to approve payment of all bills presented, Council Member Voss seconded the motion, all members voted aye in approval.

**Resolution 6-24 Order Feasibility Report - 2024 Street & Utility Project**

Public Works Director Murphy requested approval of Resolution 6-24: Ordering the preparation of the 2024 Street & Utility Project Feasibility Report. This project will involve various levels of needed reconstruction work on the following streets:

- McKinley Street SW - Linn Avenue SW to Lilac Avenue
- Anderson Place S

Council Member Voss made a motion for approval, Council Member Burbank seconded the motion, all members voted aye for approval.

**Resolution 7-24: Lakeside Foods Notice of Violation and Administrative Order**

City Administrator Busse requested action on this item be tabled to a February City Council Meeting to allow staff additional opportunity to meet with Lakeside Foods personnel. Council Member Raney made a motion to table this resolution, Council Member Dotson seconded the motion; all members voted aye for approval.

Mark Enter, VP of Operations at Lakeside Foods thanked the Council for tabling this item. Lakeside Foods has been in Owatonna since 2003 and they are very proud of their relationship with the city and want to be good community stewards.

**Resolution 8-24: VAR-15 - New Life Community Church Sign Variance**

Community Development Director Klecker presented Resolution 8-24 authorizing a variance for a wall sign at NewLife Community Church at 160 28th Street NE. Application No. VAR-15, received from Joel Stauffer requested allowance of a wall sign with 95 square feet in surface area, where 32 square feet in surface area is the maximum square footage allowed in residential districts. The property is 9.98 acres with the principal building setback approximately 258' from the front property line along 28th Street NE. The applicant does not intend on installing a free-standing sign, only wall signage is proposed. The Planning Commission held a public hearing on this request and recommends approval with condition that any additional signs on the property will be required to submit application for a sign permit. Council Member Boek made a motion for approval, Council Member Dotson seconded the motion, all members voted aye in approval.

**STAFF COMMENTS**

**Public Works Director Murphy** commented there were two to three inches of snow with a lot on wind last Friday. It took a few days to clear the streets and he asked everyone to stay back from the snow removal equipment to allow the operator the opportunity to do their job. Interviews are in process for three positions in the Public Works Department and he has been impressed with several applicants.

**Community Development Director Klecker** commented that interviews are in process for an engineering consultant required for FAA Projects. The south sections of the new fence at the airport have been placed; the north side and the gates will be installed this spring. Last year, the valuation of New Building Construction Permits was just more than \$110 Million, a lot of this work is currently in process. Twenty-three permits were issued for new homes, 21 single-family homes and 2 side-by-side units; during 2022 there were only 16 new home permits issued.

**PUBLIC COMMENTS**

**Melissa Zimmerman, 2525 Stoney Creek Drive** commented she is speaking regarding a proposed east-side corridor and referred to City Ordinance 95, Noise Control. The city has a compelling interest in imposing time, place, and manner restrictions on such noise on a content neutral basis and in a manner that does not unreasonably infringe on the rights of the city's inhabitants. The State Pollution Control Agency has motor vehicle noise limits per Minn. Rules Ch. 7030 it shall be unlawful for any person to make, continue, permit, or cause to be made or continued any loud, unnecessary, or unusual noise or any noise within the city which would be likely to annoy, disturb, injure, or endanger the comfort, repose, health, peace or safety of a reasonable person of ordinary sensibilities. Construction of a highway at 29<sup>th</sup> Avenue would do these things to hundreds of residents. Our neighborhood is a Noise Level 1 which requires a

buffer of 800 feet from truck traffic and 300 feet from other vehicle traffic. The study completed in 1999 included 800 feet of right-of-way and current plans show only 15 feet. City Code Section 95.99 reads every person who violates any provision of this chapter is guilty of a petty misdemeanor and subsequent fine. Approving a highway at 29<sup>th</sup> Avenue violates the law and persons would be guilty of a misdemeanor. We need to stay safe and request this project be built on 34<sup>th</sup> Avenue.

**Matt Sennett, 2519 Stoney Creek Drive** commented that during a December City Council Meeting, he was present and heard the Steele County Engineer speak about this anticipated project. During a Q&A following his presentation, he expressed 29<sup>th</sup> Avenue was one of two routes needed on the east side; a route at 34<sup>th</sup> Avenue, 0.6 miles away and the other on 29<sup>th</sup> Avenue which is just a few feet from homes in our established neighborhood. I'm not sure why many in this room are discussing 29<sup>th</sup> Avenue for this project? During a recent county meeting, the Steele County Engineer commented that if 29<sup>th</sup> Avenue is built, 34<sup>th</sup> Avenue will not be built during his lifetime. So, if only 29<sup>th</sup> Avenue is built, we can anticipate that twenty to thirty years from now there will be similar problems with homes built along 34<sup>th</sup> Avenue. We ask that you build one route as needed and build it on 34<sup>th</sup> Avenue. We, your residents, are encouraging you to build this corridor the right way and not build next to current homes.

#### **MAYOR AND COUNCIL COMMENTS:**

**Council Member Raney** commented that he and Council Member Boeke received e-mail from constituents with concerns that trash companies and the county recycling vendor are leaving emptied trash cans in the street. Our City Ordinance specifies where trash cans be stored, he asked Staff send a letter to these companies asking them to return emptied trash cans to the driveway apron or boulevard but not on the street, if there is wind, it makes for challenging times. Property owners should do the same, leave your trash can on your driveway apron or boulevard but not in the street to be emptied.

**Council Member Svenby** commented that yesterday, he attended the MLK Jr. Day event hosted by the Owatonna Human Rights Commission and Riverland Community College. He thanked the sponsor for hosting, this was a great event and well attended. This year it was a lunch event and not breakfast as in previous years; hopefully, it remains a noon event as it was well received.

**Mayor Kuntz** commented that the Human Rights Commission did an excellent job hosting the MLK Jr. event and the speaker, Seema Pothini, was very good. This spring, the terms of three current Human Rights Commissions expire so there will be some openings to serve on the Human Rights Commission.

**City Administrator Busse** commented that she also attended the MLK Jr. Day event. There were more than 120 in attendance, the most I have seen at this event so anticipating future MLK Jr. Day events will be like this year's.

**Council President Schultz** commented this was the shortest meeting held in some time and he wasn't going to prolong its conclusion.

At 7:31 p.m., Council Member Dotson made a motion to adjourn, Council Member Svenby seconded the motion and with no objection heard, the meeting ended.

Respectfully submitted,  
Jeanette Clawson, Administrative Coordinator