

Draft Copy
Owatonna City Council Minutes

The Owatonna City Council met in regular session on Tuesday, March 21, 2017 at 7:00 p.m. in the Council Chambers. Council President Schultz called the meeting to order and welcomed everyone in attendance. Attending were: Council Members Raney, Svenby, Okerberg, Dotson, Voss and Burbank; Mayor Kuntz; Community Development Director Klecker; Public Works Director Skov; Parks, Recreation, Building & Grounds Director Ebeling; Finance Director Moen; City Attorney Walbran; City Administrator Busse and Administrative Specialist Clawson.

Following the Pledge of Allegiance, Council Member Schultz advised two Event Permits were removed from the Consent Agenda pending staff comments and will be addressed at the next meeting. Council member Svenby made a motion to approve the agenda as noted, Council Member Okerberg seconded the motion and all members voted aye for approval.

Council Vice President Raney recapped the expenses for the period. Presented were disbursements totaling \$902,547.50. Council Member Okerberg made a motion to approve payment of the bills presented, Council Member Burbank seconded the motion; all members voted aye for approval.

President Schultz advised council members review the Consent Agenda Items prior to the meeting for approval in one motion. Consent Agenda Items for approval include:

Minutes: City Council Meeting – March 7, 2017.

License Renewals – Annual Tree Trimmer’s Licenses:

Dave's Tree Care, 1350 Cherry Street, Owatonna

Johnson Construction & Tree Service, LLC, 29763 900th Avenue, Austin

Owatonna Groundsmasters Inc., 1520 State Ave NW, Owatonna

Knutson Brothers Tree Service, 7154 75th St SW, Ellendale

Boyum Tree Service, LLC, 603 74th Ave SW, Owatonna

Wolff & Son's, Inc., 846 SE 38th Street, Owatonna

Meixner Tree Service, LLC, 30 5th Street SE, Medford

Strobel's Tree-n-Boom Service, LLC, 45004 139th Lane, Kilkenny

McClune Tree Service, 516 11th Avenue NE, Waseca

RnK Tree Specialist, LLC, 505 State Avenue, Owatonna

Temporary Liquor License – St Mary’s School of Owatonna – April 22, 2017.

Minutes – Planning Commission Meeting – February 14, 2017.

Minutes – Human Rights Commission Meeting – February 13, 2017.

Renew Lease – West Main Street Parking Lot – Brian and Susan Stendel.

Council Member Dotson made a motion to approve the Consent Agenda Items and Council Member Voss seconded the motion. Council Member Svenby acknowledged his involvement with the Run from the Heart Committee and asked this be noted in the minutes. Members voted aye for approval of the Consent Items presented.

Parks, Recreation, Building & Grounds Director Ebeling presented a contract for approval for services with Adsit Architecture and Planning, Minneapolis. The contract provides for services for historic architectural drawings and masonry assessment of the Owatonna Fire Hall. The City has been awarded a \$28,500 Minnesota Historical Society grant for drawings and masonry assessment as the scope of work and assistance in developing a scope of work for the next phase (repair). The work done in this project is a pre-requisite for any future construction work done to the Fire Hall that could

be covered by Minnesota Historical Society grants for historical buildings. Fourteen firms submitted proposals; Adsit Architecture & Planning submitted the low bid of \$9,500. The projected cost to the City is \$11,080 of in-kind services. Additional services, if needed could include hiring a structural engineer and any unused grant funds may need to be returned to the Minnesota Historical Society. Council Member Raney made a motion to approve the contract with Adsit Architecture and Planning; Council Member Okerberg seconded the motion; all members voted aye for approval.

City Administrator Busse presented an application received from Theresa Schoolmasters for a Tobacco Permit to do business as MoJo Smokes and Accessories at 214 N Cedar Avenue. The license will become effective upon receipt of the contingent licensing items and will expire at the end of the current licensing period, December 31, 2017. Council Member Dotson made a motion to approve the Tobacco Permit contingent on receipt of the license fee and documentation of Employee Training Tips for retail sales of tobacco. Council Member Burbank seconded the motion and all members voted aye for approval.

Finance Director Moen presented Resolution 21-17 to amend the 2016 Budget. Moen explained when Council initially approves the City Budget; it is a tentative plan for the future year. Events and circumstances often times change, requiring the city to alter the plan. Examples of these changes happening during 2016 include flood damage due to the September rain event, an increase in building permit activity, awarding of grants, retirements of long-term employees, and the transfer of funds. The 2016 budget year ended positively with general fund revenues exceeding general fund expenditures; however, both revenues and expenditures exceeded the budgeted amounts requiring Council appropriate additional funds for those expenditures in excess of the approved budget. The current year budget amendments include:

- Revenue from FEMA and the related flood costs
- Increasing the part-time building inspector to full-time
- Grant proceeds from the DNR and Cabela's for the Chase Lake fishing pier
- Donation from the Owatonna Foundation for dugout improvements being completed in coordination with the Owatonna Softball Association.
- Payout of accrued leave to multiple long-term library employees (95 years of combined service). The City accounts for this liability in its financial statements, but does not appropriate funds in advance of any upcoming retirement.
- Resolution 40-16 Transfer of funds for the purchase of land for a potential future fire substation.

Council Member Svenby made a motion to approve Resolution 21-17, Council Member Voss seconded the motion; all members voted aye for approval.

City Administrator Busse presented Resolution 22-17 opposing legislation that would severely limit local authority to manage small cell technology in public rights of way. The League of Minnesota Cities notified the City private wireless and cellular service providers are pushing legislation that would allow unregulated access to public rights-of-way for installation of "small cell wireless" equipment and distributed antenna systems. This legislation would supersede existing zoning ordinances and comprehensive plans that have been in place for years. The legislation provides for automatic approval and would not allow cities to consider the effects of public health, safety and aesthetics. Council Member Voss asked for definition or example of small cell wireless equipment. City Administrator Busse explained one example would be a small canister set up to boost their wireless services. Owatonna Public Utilities has been working with service providers and the City is not opposed to this technology but is opposed to giving the service providers the right to use property

in the city's Public Right of Way without asking the City for permission. Council Member Okerberg made a motion to approve Resolution 22-17, Council Member Voss seconded the motion; all members voted aye for approval.

Public Works Director Skov presented Resolution 23-17 adjusting the City's Right-of-Way Fees. During May 2016, City Council approved amendment to Right-of-Way Ordinance 94.007: Right-of-Way Management, which included fees for management of private utilities within the right-of-way. The fees took effect January 1, 2017; however, the Jaguar Communications Project to install new fiber optic line throughout the city is outside the scope of the fees. This resolution proposes Jaguar Communications will be billed a weekly fee for a temporary Right-of-Way Inspector. The weekly cost will be \$300.00 (20 hours per week at \$15.00 per hour). The minimum number of weeks billed during 2017 will be 12 weeks and if the project exceeds 12 weeks, Jaguar Communications will be billed for each additional week of construction. Council Member Raney made a motion to approve Resolution 23-17, Council Member Burbank seconded the motion; all members voted aye for approval.

Public Works Director Skov presented the first reading of Proposed Ordinance 3-17 amending Appendix A – Fee Schedule to adjust the current Right-of-Way Fees. During May, Ordinance 1538 amended Code Section 94.007: Right-of-Way Management to include fees for management of private utilities within the right-of-way that took effect January 1, 2017. The current fee is \$75.00 per 100 feet or \$0.75 per foot; however, after further review, staff believes this fee is too aggressive to charge for beginning permits. The proposed ordinance adjusts this fee to \$20.00 per 100 feet or \$0.20 per linear foot to cover the City's costs. Council Member Dotson made a motion to approve the first reading of Proposed Ordinance 3-17 and Council Member Svenby seconded the motion; with a roll call vote, voting aye were Council Members Burbank, Raney, Svenby, Voss, Okerberg, Dotson and Schultz; voting nay were none; the motion carried. The second reading of this proposed ordinance will be heard during the April 4, 2017 Council Meeting.

Community Development Director Klecker presented Proposed Ordinance 4-17 to vacate a portion of Drainage and Utility Easements in Country Creek No. 6. Hall Construction Inc. has requested this for property at 1852-2010 Evergreen Place NE in Lot 13, Block 1, Country Creek No. 6. The applicant is proposing to split the proposed single-family attached dwellings to detached patio home, which will require replatting of the drainage and utility easements. The Planning Commission held a public hearing on this request on March 14, 2017 and recommend approval. Council Member Raney made a motion to approve the first reading of Proposed Ordinance 4-17; Council Member Okerberg seconded the motion. With a roll call vote, voting aye were Council Members Burbank, Raney, Svenby, Voss, Okerberg, Dotson and Schultz; voting nay were none; the motion carried. The second reading of this proposed ordinance will be heard when the final plat has been prepared.

Community Development Director Klecker presented Resolution 24-17 approving the Preliminary Plat of Country Creek No. 7. Malcolm Hall of Hall Construction Inc. has requested approval of the preliminary plat as an eight lot residential plat. This property was originally developed for four twin home structures and one single-family lot. The proposed plat will allow for six patio homes and two single-family homes. All proposed structures will meet the standard building setbacks for a single-family house with a 30' front and rear setback, a 10' side setback to any living space, and a 5' side setback to a garage wall. The structures will be custom designed to fit the lot and meet the required setbacks. All water and sewer services previously installed can be used with this new plan. Code requires a twin home have a 100' wide lot between the two units. These lots are 56' wide and will meet the lot width requirements when combined as two lots. The Planning Commission held a public

hearing on this request on March 14, 2017 and recommend approval with the following conditions:

- 1) Final plat approval shall be contingent of approval of the vacation of the portion of the drainage and utility easements.
- 2) The final plat shall be approved within one year of the date of approval of the preliminary plat.
- 3) Prior to recording of the final plat, the assessment shall be paid in full.
- 4) The City Attorney shall approve the title opinion prior to recording of the final plat.
- 5) The applicant shall amend the declarations and covenants for the lots to adjust for the new legal descriptions and design of the patio homes.

Council Member Raney made a motion to approve Resolution 24-17 approving the Preliminary Plat of Country Creek No. 7 as recommended by the Planning Commission. Council Member Burbank seconded the motion; all members vote aye for approval.

Community Development Director Klecker presented proposed Ordinance 5-17 to rezone property located in the 1700 Block of East School Street owned by Tom and Jacquelyn Poole. The property, currently zoned I-2, Heavy Industrial would be changed to R-1, Single Family Residential. The Planning Commission held a public hearing on March 14th on this request and recommend approval. Council Member Okerberg made a motion to approve Proposed Ordinance 5-17, Council Member Voss seconded the motion; With a roll call vote, voting aye were Council Members Burbank, Raney, Svenby, Voss, Okerberg, Dotson and Schultz; Voting nay were none; the motion carried.

Community Development Director Klecker presented proposed Ordinance 6-17 to rezone property located in the 1700 Block of East School Street owned by Tom and Jacquelyn Poole. The request is to vacate the south part of School Street East adjacent to the future Pool Addition to help avoid any questions on the property title and then formally rededicate it on the Poole Addition plat. This will have no effect on the existing street or utilities in the area. The Planning Commission held a public hearing on March 14th on this request and recommend approval. Council Member Svenby made a motion to approve Proposed Ordinance 6-17, Council Member Okerberg seconded the motion; With a roll call vote, voting aye were Council Members Burbank, Raney, Svenby, Voss, Okerberg, Dotson and Schultz; Voting nay were none; the motion carried.

Community Development Director Klecker presented Resolution 25-17 for approval of the Preliminary Plat for the Poole Addition. Proposed are two lots and one outlot located on the south side of School Street East. The proposed lots are:

- Lot 1 – To remain zoned I-2, Heavy Industrial District. Code requires a minimum lot width of 100' and does not contain a minimum size. The applicant is proposing to build a 10,000 square feet industrial building on the property. Please note this is a permitted use on the property today.
- Lot 2 - Proposed to be rezoned to R-1, Single Family Residential. Code requires a 75' wide lot that is a minimum of 9000 square feet. This lot exceeds both requirements. The applicant is planning to construct a single-family residence on this lot.
- Outlot A - This property is proposed to be rezoned to R-1, Single Family Residential District. Outlots are unable to be built on by State Statute. The property currently has a large wetland complex on it and would require to be replatted for anything to occur on this parcel.

Sewer and water are currently located within the intersection of School Street East and Partridge

Avenue will be extended to the property. The applicants will be required to extend utilities to service their property, as is standard practice. Staff is recommending the applicant install approximately 600' of sewer and water main on the property, which would bring the utilities to the east end of Lot 1. Within the Development Agreement, the applicant will be waiving their right to object to future extension and any assessments in the future to allow for full improvements extending to the eastern edge of the property. Lot 2 will have private services that connect to the end of the public mains. At this time, no improvements are proposed for School Street East. A development agreement will be required with the applicants laying out all rights and responsibilities concerning the public improvements. There are large wetland complexes on the property and the Soil & Water Conservation District is recommending that the wetlands be delineated on and signed as a "Wetland." The impacted areas on Outlot A and within the right of way should be handled in the same manner. The Planning Commission held a public hearing for this matter on March 14th and are recommending approval with the following conditions:

- 1) Final plat approval shall be contingent of approval of the vacation of East School Street.
- 2) The final plat shall be approved within one year of the date of approval of the preliminary plat.
- 3) An updated title opinion shall be approved by the City Attorney prior to recording of the final plat.
- 4) Public sewer and water main shall be extended to the east property line of Lot 1. A fire hydrant shall be installed at the end of the public watermain.
- 5) The water and sewer service connected to the future house on Lot 2 will remain the property owner's responsibility. Further, when the public water and sewer mains are extended to the east property line, the current property owners shall reconnect the services into a more standard 90° connection.
- 6) The applicants shall enter into a development agreement with the City prior to recording of the final plat.
- 7) The wetlands on Lot 2 and any other areas to be disturbed during construction shall be delineated and signed accordingly. This shall be completed prior to any building, grading, or utility permits are issued.
- 8) All City of Owatonna storm water requirements are to be met with this proposal. This plat is required to be reviewed as a connected action and need to be addressed accordingly.

Council Member Raney made a motion to approve Resolution 25-17, approving the preliminary plat of the Poole Addition as recommended by the Planning Commission. Council Member Burbank seconded the motion; all members voted aye for approval.

Community Development Director presented Proposed Ordinance 7-17 to vacate a portion of Mineral Springs Parkway and Resolution 26-17 to approve the preliminary plat of Parkway Addition. Council Member Schultz advised he will remove himself as he is one of the property owners making this request. Council Member Schultz left his seat and Vice President Raney began to preside over the meeting. The Paul Arnfelt Trust and Lowell G Schultz Jr. have requested the right-of-way west of the centerline of Mineral Springs Parkway at 1415 Mineral Springs Parkway be vacated. This is to clean up and straighten out the right-of-way in this area as has been done with other plats along Mineral Springs Parkway. The applicants are in process of platting the property which will include dedicating the necessary right-of-way for the newly constructed roadway. The Preliminary Plat of Parkway Addition, a five lot single-family residential plat on 3.42 acres is located on the SW quadrant of Ridge Road and Mineral Springs Parkway intersection. The plat is contingent upon approval of the road vacation as the right-of-way is being rededicated. The applicants will be extending sewer along the

west property line to service the new lots. Water services will be extended from the existing mains surrounding the property with no additional easements needed. The applicant has proposed a shared driveway for Lots 4 & 5; if this shared driveway is indeed constructed, a shared driveway easement will be required when a building permit is requested. The Planning Commission held a public hearing on March 14, 2017 and recommend Council approval of vacating this portion of Mineral Springs Parkway and the preliminary plat of Parkway Addition. Council Vice President acknowledged several neighboring property owners were present and asked for their comments:

Steve Schukly, 1335 Ridge Road expressed concern about potential water issues and drainage. Last summer he had water standing in his back yard and he is concerned future heavy rains could bring additional flooding issues to his property. There is a small creek in the property and concerned what will happen with the creek and water in the area. Public Works Director Skov explained there was some flooding in this area during the construction of Mineral Springs Parkway last summer when the design of the intersection was being worked out as the original design was not to current standards. This should not create a problem on this vacated portion of the right-of-way and a drainage easement has been requested on this property on the new plat.

Thomas Harrison, 1305 Ridge Road asked Council recognize the significant stand of trees along the property lines. The coniferous trees are an attribute to all of the neighboring properties adding aesthetic beauty and value. The neighboring property owners hope Council will keep this in mind when considering platting this property and the utility easements required.

Andee Penn, 1345 Ridge Road commented she has lived in her home for only three and a half years and her property has flooded two times. One time was last year during the road construction project and one prior time so she is also concerned about potential water issues. Public Works Director Skov explained this road vacation would not affect the drainage of the intersection.

Council Member Dotson questioned if there would be sufficient area to handle additional runoff when the properties are developed. Skov explained there are two storm water regulations when acquiring a permit. The first is a Construction Storm Water Permit which requires creation of an acre of or more of new impervious surface; however, this will plat not create an acre so this will not be necessary. The second is the City's Stormwater Permit, the MS4 Permit for Total Suspended Solids (TSS) and Total Phosphorous Reduction required. The City's MS4 Permit will likely be addressed on the individual lots through landscaping, rain gardens or something like such.

Kim Cousins, 1295 Ridge Road also said he also concerned about the trees on the property and hopes the stand of trees will not be lost in development of the property. Installation of the utilities for the new lots would come directly through his property and where the utilities are connected there are two large culverts. Many of the neighbors are concerned about this process and hope no trees will be taken down as the trees add value and separation to the adjoining properties. Cousins expressed he is not opposed to development, only opposed to loss of trees for this development. He stated there were others present who wouldn't be speaking and he asked them to stand to show Council the number present with concerns about how this will affect their properties on Ridge Road. Ten people stood up showing their interest and concern about this matter.

Council Member Svenby questioned a driveway crossing shown on the proposed preliminary plat Lot 3 with wetlands noted on each side of the driveway. Will these wetlands be delineated so a driveway placed will not encroach these wetlands?

John Schulte, the Project Engineer explained this would be done by City Staff during the site plan process. Grades and slopes are documented on the preliminary plat for additional review when needed.

Council Member Svenby questioned how this should be documented for future reference. There are state statues best way for follow-up is the City's site plan process through the City Engineer's Office which details the grading and wetlands shown on the plat allowing staff to see on

the plat when reviewing a property for building permits. This is an enforcement issue that will be addressed, the best way is to note this on a plat so it will be shown on the surveys. The plat is a recorded document...the wetland certification is valid for only five years so best to show on the plats.

Public Works Director Skov explained the best way to track this for future reference is to record the plat which will be done.

Community Development Director Klecker explained the best way to communicate this information would be to identify the property as wetland area on the plat so the information will also be included on the survey. The plat will be recorded and can be documented for future reference. A wetland determination could be made on each lot but the record is valid for a 5-year period and could be missed in future development options.

Council Member Dotson asked if the trees along the west property line are in the right-of-way or on the Arnfeldt/Schultz property. Mr. Schulte, responded the trees are located on the property line and the proposed utility line has been moved to the east to minimize the impact on the trees when the utilities are installed. .

Council Member Dotson made a motion to approve the first reading of Proposed 7-17, Council Member Okerberg seconded the motion; with a roll call vote voting aye were Council Members Burbank, Raney, Svenby, Voss, Okerberg, and Dotson; Voting Nay were none; recused from voting was Council Member Schultz; the motion carried.

Community Development Director Klecker presented the Planning Commission's recommendation for council approval of Resolution 26-17 approving the Preliminary Plat of the Parkway Addition. Conditions recommended include:

- 1) Final plat approval shall be contingent of approval of the vacation of the portion of Mineral Springs Parkway.
- 2) The final plat shall be approved within one year of the date of approval of the preliminary plat.
- 3) Prior to recording of the final plat, the assessment shall be paid in full or approved to the reallocation by the City Council.
- 4) The City Attorney shall approve the title opinion prior to recording of the final plat.
- 5) The sanitary lines shall be relocated further west to allow for 5' on each side of the water main.
- 6) A shared driveway easement will be required prior to a building permit being issued on either Lot 4 or Lot 5.
- 7) A drainage easement shall be provided over the wetland area. Any future encroachments into the easement other than the 12' wide crossings on Lot 3 and Lot 5 shall be approved by the City Council.
- 8) The developers shall enter into a development agreement with the City prior to recording of the final plat.

Council Member Okerberg made a motion to approve Resolution 26-17 as recommended by the Planning Commission; Council Member Burbank seconded the motion; all members voting, voted aye for approval.

Council President Schultz returned to his seat to direct the remainder of the meeting.

Community Development Director Klecker presented two resolutions regarding requests received from Al and Cathy Martin for their property at 393 Sylvan Street. The property has frontage on two streets, Sylvan Street and Kelly Street and they hope to split their lot into two separate lots, creating a new buildable lot on Kelly Street. The property meets the requirements to allow a lot split as both

resulting parcels would have a minimum of 75' of street frontage and lot area over 9,000 square feet, each lot will be over 9,500 square feet. The Martins also applied for Conditional Use No. C-1390 to relocate their current home to the newly created lot at 414 Kelly Street. Plans are to add a tuck-under garage and the current attached garage would be converted into living space. There has been many improvements on the home's interior but the outside is needing some repairs. The Planning Commission held a public hearing on these requests on March 14th and are recommending Council approval of the lot split with the following condition:

- 1) The existing house is sided by May 31, 2017.

The Planning Commission is recommending approval of Conditional Use No. C-1390, relocation of their home to 414 Kelly Street with the following conditions:

- 1) A deposit of \$11,500 shall be submitted to the City prior to any permits being issued.
- 2) The applicant shall obtain all building, moving, plumbing, electrical, and any other permits that are required for this project.
- 3) All construction activities shall be completed by September 1, 2017 unless the City Council grants an extension.

Council President acknowledged several neighboring properties owners were present and asked for their comments regarding this property.

Patti Abraham-Brekke, 446 Riverside Avenue stated she and many of her neighbors are opposed to the lot split and house relocation. Her property is directly east of the Martin's property. She is concerned about the condition of the property and believes the house will continue to deteriorate; she has heard rumors the basement collapsed when new windows were installed so she is questioning the structural soundness of the building. She believes this property has been a rental property for many years and last inspection for a property rental permit was completed in 2005. The exterior looks rough and she believes an additional structure would also deteriorate to a condition similar to the current home on the property. Many of the neighbors have expressed concern to her that they wish to retain their privacy and not have this split occur and have another placed where the current house is.

Al Martin, County Road 45 South, owner of the property stated the house on Sylvan should have nothing to do with his request to relocate his current home. He has made many improvements to the property after purchasing it including addition of an indoor bathroom, a new roof, and many electrical wiring updates. New windows were installed and the slate siding was damaged when the windows were installed leaving the exterior looking pretty rough as it is waiting for new siding. My wife has stated the home will be resided to look better for the neighbors; all I want is to move our current home to the property to have a handicapped accessible home.

Cathy Martin, County Road 45 South said she would like to end several rumors about the property; the basement wall of the property on Sylvan has not collapsed. She has asked the home be resided because she wants it to look nice for the neighbors but does not want this to set a precedent for future requests.

Al Martin explained the basement on the current home is a mixture of limestone and concrete. He suspects many may believe the basement caved in but the project they did in the basement was to fill in an old coal shoot. He has done this in several homes, he has purchased many homes to fix up.

Council Member Svenby commented the property is steep and questioned if a lot of materials would be moved.

Al Martin responded his original plan for this property was to move the house and have a steep driveway. Current plans are to move materials so the driveway will be level with Kelly Street and his home will be placed on a tuck-under garage.

Council Member Voss questioned why he wants to move his current home to Kelly Street and not to Sylvan Street.

Mr. Martin responded he might someday want to build a new house on Sylvan Street. He has wanted to move his current house to the property on Kelly Street for more than 20 years and hopes to complete this project this year.

Connie Elmore, 430 Hillside Place access to our home is by Kelly Street so she is familiar with the current condition of the property. She shared pictures of the current property to familiarize everyone with the current property and asked neighbors present stand for Council to see the number present with concerns about this project (eight people stood to be recognized).

Council Member Raney commented he recently viewed the area and believes the Martin home to be relocated will mesh well with the neighborhood. He believes the applicants have met the criteria required for a lot split; this will be an addition to the neighborhood and not a detriment. Raney questioned the integrity of the road and asked what grade these roads received during the City's street review process.

Public Works Director Skov advised Kelly does not rate very high and Sylvan scored a rating of 60. The average street score in the City is a 69 so this street would be reviewed for an overlay. Overlay plans for the current year have not been developed and there are current plans for future years?

Community Development Director Klecker stated the Martin's requests are unique. Their property has double frontage on streets with one being an unconventional street; however, the property does meet the requirements eligible for a lot split. Doing a lot split with an existing house is also unique, much of the concern is with what the existing house is, and not that of what will be moving in.

Council Member Voss commented many of the neighboring properties have large back yards. He questioned if additional property owners could request lot splits, which would add more homes on Kelly Street.

Community Development Director Klecker explained any property meeting the requirements of a minimal lot size would be eligible for a lot split. He confirmed the Martin property does meet all of the requirements for a legal lot split and believes plans are to move the house in by way of Kelly Street.

Anthony Joslyn, 409 & 421 Kelly said he owns these two properties directly across from the Martin's property. He questions how a house can be moved in without tearing up Kelly Street and is wondering where the utilities will be connected. A lot of dirt will be moved which may create problems and tear up the street. There is also a drainage issue, washouts occur down this hillside with the runoff creating deep ruts. The current tenants park on the street during rainy weather. The Martins purchased this home in 2005 and it has sat unattended to for many years; now they are willing to make improvements to this property because they need a permit from the City. He would like additional information pertaining to where the utilities going to connect? In addition, he believes damages caused to the street for this project should be charged to the Martins, not the City and not the neighbors, as this is a Martin project and not a City project. He and the neighbors do not want to stop the Martins; he wants to know everyone is required to comply with the City's requirements.

Public Works Director Skov advised the sewer and water connections are in the middle of Kelly Street so the street would be dug up for this project so when the connections are made, neighbors would be notified the utilities would probably be off for a day. The street is in poor shape but has not a street on the high priority list for repair.

Council Members reviewed the recommendation received from the Planning

Commission noting the property does meet the requirements for a lot split. Council Member Dotson made a motion to approve Resolution 27-17 with no condition of siding the current property, as this should not set a precedence. Council Member Okerberg seconded the motion; six members voted aye, Council Member Voss voted nay; the motion carried.

Council Member Raney made a motion to approve Resolution 28-17 approving Conditional Use No. 3-1390 to relocate a house to the property at 414 Kelly Street. Council Member Burbank seconded the motion.

Council Member Svenby questioned the moving process and permits required.

Public Works Director Skov confirmed the moving permit process would address concerns of potential damages caused during the move. Assessments will not be charged because of this project; however, if a street repair is requested by a majority of adjoining property owners there could be assessments made. This street would probably have an overlay before a reconstruction.

With no additional comments heard, council members all voted aye to approve Resolution 27-17.

Public Works Director Skov requested approval of the plans and specifications and authorization to advertise for bids for the annual sanitary sewer-lining program. The proposed bid date will be April 12, 2017 with approval of bid by council during the April 18th Council Meeting. Annually the City completes sanitary sewer lining with the intent to prolong the life of the sanitary sewer system and reduce the inflow and infiltration received at the wastewater treatment plant. The project this year includes approximately 21,000 feet of sanitary sewer to be lined. Council Member Raney made motion to approve this request, Council Member Svenby seconded the motion; all members voted aye for approval.

Public Works Director Skov requested approval of the plans and specifications and authorization to advertise for bids for the repair or replacement of the Wastewater Treatment Plant Bar Screen damaged during the flood event on September 21 and 22, 2016. The proposed bid date will be April 12th with approval of bid by council during the April 18th Council Meeting. The bar screen removes rocks and other large debris at the head works of the wastewater treatment plant. The bar screen was previously damaged during the September 2010 flood and required extensive repairs. Council Member Dotson made a motion to approve this request, Council Member Voss seconded the motion; all members voted aye for approval.

Public Works Director Skov requested approval of the plans, specifications and authorization to advertise for bids for the paving of the North Straight River Trail from North Street to 26th Street. The proposed bid date will be April 12th with approval of bids by Council during the April 18th Council Meeting. The North Straight River Trail is currently a gravel trail from North Street to 26th Street. Federal Funds through the Transportation Alternative Program (TAP) of \$392,250 and a Department of Natural Resources (DNR) Grant of \$139,029 has been secured for this project. Council asked if the project includes a lighted trail and what the anticipated completion date will be. Parks, Recreation, Building & Grounds Director Ebeling responded lighting is an alternate in the plans and will be depend on what bids are received. Using federal funds requires the project be completed this year. Council Member Svenby made a motion to approve this request, Council member Raney seconded the motion; all members voted aye for approval.

There were no comments heard during Public Comments.

During Council Comments, Council Member Dotson thanked everyone for their support during the Hospice House fundraising event held this last weekend. Several Council Members and Mayor Kuntz participated in the basketball game for this cause.

At 8:21 p.m., Council Member Raney made a motion to adjourn the meeting. Council Member Dotson seconded the motion, all members voted aye and the meeting was adjourned.

Dated: March 29, 2017

Respectfully submitted,
Jeanette Clawson, Administrative Assistant