

Mayor Dave Olson called the City Council meeting to order at 6:00 p.m. on January 8, 2018 with the Pledge of Allegiance. Present were: Mayor David Olson, Matt Schutte, Kevin Knutson, Cheryl Sanden and Emily Krage. Also present were: Christina Peterson, Audrey Hegland, Randy Thesing, Ed Jacobs, Marlene Schultz, Paul Wiste, Karla Bloem, and Eric Leitzen-Fillmore County News.

Public Comment Period: No public comment.

Item A was rescheduled to allow Karla Bloem time to arrive.

2018 Meeting Calendar and Appointments: Peterson distributed a color coded annual schedule of City meetings; there will be two times per year that the regularly scheduled Council meetings will be held on Tuesdays instead of Mondays because of national holidays (in October and November). Schutte stated that the Park and Rec Board no longer meets on a monthly basis unless there is a need; instead, will meet on a quarterly basis.

2018 Mayor's Appointments: Initial starting dates for Council members Knutson and Schutte will be clarified. Changes made to Committees listed were as follows for year 2018: Personnel: Cheryl Sanden/Dave Olson; Tree Board: Ron Belongie, Karen Todd, Ed Jacobs, Jeanne Tippiery, and Council Representative, Emily Krage. Park & Rec Board: Ashley Olson, Jessica Olson, Kelly Porter, and Council Representative Matt Schutte. Prosecuting Attorney: Mike Murphy. Library Board: Gene Lundak, Marilyn Frauenkron Bayer, Zeb Baumann, Denise Rostad, Anita Werner, Barb Swenson, Council Representative Kevin Knutson, Hayley Carr, Student Representative. MOTION BY SANDEN, SECONDED BY SCHUTTE TO ACCEPT THE 2018 CALENDAR AND CITY APPOINTMENTS FOR 2018; MOTION CARRIED UNANIMOUSLY.

Trailhead Park – International Owl Center Lease: Bloem presented a preliminary architect's rendering of the proposed International Owl Center, stating that specific details may change. The area she is requesting from the City is located in the Trailhead between Hwy 76, the Bike Trail, the Levee, and the property leading up to the houses, which are located by the entry to the Trailhead. The area would be used for pathways and outdoor aviaries.

The Planning Commission has discussed the matter and relayed their opinions on the agreement. Discussion with the Council included:

- a) The area needs to be surveyed to provide a legal description;
- b) A fence is proposed; type of fence will be determined;
- c) A buffer of 100' should be established from the center of Hwy 76, as well as 30 ft. distance from the Trail and the levee.
- d) Lease or Easement: A lease would be preferable and an annual fee charged.
- e) Term of Lease: Bloem is requesting a 20-year agreement.
- f) Renewal/Termination Clause: Termination after five years if no activity;
- g) Price of Lease: \$2,000 per year, effective when construction begins;
- h) The Army Corps of Engineers will currently be in charge of the ditch; however, it is close to the parking lot so the City would have a say in the matter as well.
- i) Bloem stated a walking bridge is needed from the parking lot to the building and also another bridge from the walkway to the aviaries. Both will require working with the Army Corps for their approval.
- j) The Houston Entry Sign is within the 100 ft. Hwy 76 right of way and will fall within the lease area. Suggested making the sign higher for better visibility. The second sign is also in this area and was created in honor of the State Champion Football team. Peterson asked Bloem to research MnDOT signage requirements. Expense involved in moving the signs will be the responsibility of the Owl Center.
- k) The outline of the lease boundary area is irregular; suggestion was made that the line stays east of the cement to straighten out the perimeter; also straight off the east side of the parking lot parallel with west side of the ditch, making sure the waterway remains open, maintained and cared for; stay 20 feet away

from the rear of the band shell to allow for mowing.

- l) The ditch itself is 50-60 ft. from the band shell. To be determined is how much buffer the City wants on the east side of the concrete driveway. The area is on the east side of the drainage ditch, 30 ft. from the Trail, and 100 ft. from the center line of Hwy 76, and 20 ft. from the toe of the levee. Peterson suggested the area be flagged to provide a visual that will help with the proposed lease.
- m) Bloem: Ideally they would like to build both the aviaries and the Center at the same time but realistically, the aviaries will likely be first.
- n) Question was raised about the potential noise from the nearby band shell.

Peterson requested that when the building plans are available for the aviaries or the Center, that the City receives a copy of the architect's drawing. Current contract language needs work as to when it would be acceptable for the grantee to take possession of the property and the lease take effect. It is up to the Council to determine what would be acceptable language – including whether to require that a structure be in place that is ready to be occupied prior to lease becoming effective. Concern was expressed over how long it will take to build the Center and concern that the City should not tie up the land until the facility construction occurs. Bloem countered that the lease is necessary to encourage potential donors to contribute.

Lease Charge: The City is not using the entire area being requested but it has value. Peterson checked taxes for like properties that could be found. Tax assessed value for golf course land within the county is approximately \$2,000 to \$5,000 per acre. Taxes paid for golf course property were \$50-\$90 per acre for property taxes (4 acres are in this area of Trailhead). The current revenue to the City from the five houses that will be acquired by the Center is \$2,000/year in taxes; the houses will not be taxable when the Owl Center takes possession. Thesing stated it costs approximately \$2,500 for annual maintenance of the area.

In response to a question, Bloem stated they want nothing less than a 20-year lease.

MOTION BY SANDEN, SECONDED BY SCHUTTE, THAT A FEE OF \$2,000 PER YEAR BE CHARGED FOR THE INTERNATIONAL OWL CENTER FOR A PERIOD OF 20 YEARS; MOTION CARRIED UNANIMOUSLY.

Bloem will bring the items discussed at this meeting to her Board.

Resolution 2018-1, Donations from January to December, 2017: In keeping with MN State Statutes, Section 465.03, MOTION MADE BY KNUTSON, SECONDED BY KRAGE TO PASS A RESOLUTION 2018-1 TO ACCEPT THE DONATIONS MADE FROM JANUARY THROUGH DECEMBER, 2017; MOTION CARRIED UNANIMOUSLY.

2016 Ellsworth Street Project – Pay Request for \$2,000 (previously withheld for seeding): The seeding has been done and Thesing said it looked satisfactory. Therefore, MOTION BY SCHUTTE, SECONDED BY SANDEN TO PAY THE REMAINING \$2,000 THAT WAS WITHHELD FOR THE RESEEDING OF NECESSARY AREAS OF THE ELLSWORTH STREET PROJECT; MOTION CARRIED UNANIMOUSLY.

Employee Recognition: In keeping with the City's Employee Recognition Policy, employees who have been employed by the City for a continuous length of service on their five, ten, 15 and 20- year anniversary of their hire date, they should be recognized for those years of service. The employees who were recognized and received a Certificate of Achievement and a gift of Houston Bucks in the amount double to the years of service were: Chief David Breault, 16+ years; Liz Gibson-Gasset, 16 years; Randy Thesing, 15+ years; Audrey Hegland, 12 years; Ed Jacobs, 10 years; Brett Hurley, 5 years; Christina Peterson, 5 years.

Building Code Enforcement: Peterson spoke with the State Building Code Enforcement Officer regarding potentially dropping the Code. There are areas that the City would still be responsible for such as the

enforcement of bleacher and safety, permitting and the necessary compliance with ADA accessibility of all public places, etc. The City does not have the necessary manpower to fulfill all these requirements, so an inspector would have to be hired and trained. Complaints received about CMS included delays in necessary inspections, discrepancies in instructions from individual inspectors, etc. Whether the City does or does not work with CMS, the all contractors must still follow the State Building Code. One option for the City would be that in cases of violations, to record them as a nuisance and charge as such. Mayor Olson said a public hearing on this matter could be held to gather public opinion.

Minutes: MOTION BY SANDEN, SECONDED BY SCHUTTE TO APPROVE THE DECEMBER MINUTES; MOTION CARRIED UNANIMOUSLY.

Financial Report: MOTION BY DRAGE, SECONDED BY KNUTSON TO APPROVE THE FINANCIAL REPORT; MOTION CARRIED UNANIMOUSLY.

Review of Bills: MOTION BY KNUTSON, SECONDED BY SCHUTTE TO PAY THE BILLS; MOTION CARRIED UNANIMOUSLY.

Department Reports:

Maintenance: Thesing reported there have been two water main breaks in the same area, and that the furnace in the maintenance shop needs to be replaced; is as old as the building and can no longer be repaired.

City Administrator: Planning Commission meeting was held to discuss a request to place a mobile home on a vacant lot in town. The mobile home would not meet the 20' width requirement as specified by City ordinance. Further discussion will take place at a special Planning Commission meeting on December 11, 5:30 p.m.

Fire Department Minutes were available for Council's review.

Adjournment: MOTION BY SANDEN, SECONDED BY SCHUTTE TO ADJOURN THE MEETING AT 7:20 PM; MOTION CARRIED UNANIMOUSLY.