

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. January 9, 2023, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Emily Krage, Cody Mathers, and Steve Westby. Staff present: Michelle Quinn, Randy Thesing, Ed Jacobs, and Josh Hongerholt. A listing of public members present is on file.

Wastewater Treatment Plant: Matt Mohs provided a written update of completed items and upcoming work schedule at the WWTP which is on file.

Appointments: Motion by Mathers, seconded by Krage to approve the committee appointments as discussed. Motion carried unanimously.

Official Newspaper: Quinn reported on a bid received from one of three area newspapers. Discussion was held. Motion by Baumann, seconded by Westby to designate the Fillmore County Journal as the official newspaper and to accept their bid for display ads, financial statements, and legal notices. Motion carried unanimously

Official Depository: Motion by Mathers, seconded by Westby to designate Rushford State Bank as the official depository, update the account powers and adopt the following resolution. Motion carried unanimously.

RESOLUTION 2023-01

Account Powers Granted Rushford State Bank Banking

BE IT RESOLVED, the Houston City Council authorizes Finance Director/Treasurer Suzanne Peterson the authority to open any deposit or share accounts in the name of City of Houston and further authorizes Clerk Administrator Michelle Quinn, Finance Director/Treasurer Suzanne Peterson, and Mayor Scott Wallace to endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with the requirement of two signatures with this Financial institution.

OHV Exit Committee Report: Mathers provided an overview of the work of the exit committee to date. The group was limited due to not having a clear directive from the council. With the composition of council changing this past November, the exit committee convened to discuss the DNR decision tree (presented in October 2022), and the committee wishes to pursue a path through elected officials. Mathers suggested the city attorney review the draft resolution. This action would show due diligence and may result in helpful recommendations to mitigate potential unforeseen liability. Following review, the council could take action to adopt a resolution which would provide clear direction to the exit committee and be a step towards bringing closure to the project. Baumann expressed his opinion that attorney review would be prudent. Wallace questioned whether the review was necessary. Discussion was held. Karla Bloem suggested the entire packet be made available to counsel with the proposed resolution as it provides context. Mathers stated the potential ramifications warrant the review which is being recommended to avoid liability that has not been considered. Motion by Westby, seconded by Baumann to authorize the attorney's review of the committee proposed resolution and supporting documentation. Motion carried unanimously.

Public Works Equipment: Randy Thesing provided an overview and history of the program which provided the City with a new municipal pickup and has ended. He stated the city has a one-ton truck with snowplow and may be better served by trading in the one-ton program truck for a more economical ½ ton Ford. Motion by Westby, seconded by Krage to accept the quote submitted by Sugar

Loaf Ford, Winona to trade the one-ton municipal truck for a 2022 ½ ton Ford for (\$3,800), and to authorize the purchase of a Stinger 8' Snow Pusher in the amount of \$3,185. Motion carried unanimously.

Fire Department Equipment Disposal: Skifton provided information regarding fire department vehicles which may not be needed following the purchase of the new pumper and brush truck. Motion by Baumann, seconded by Mathers to give discretion to Fire Department staff to dispose of the 1988 International and 2008 Ford by consigning it to Darr Auctions or alternate sale option compliant with regulations for disposal of excess government property. Motion carried unanimously.

Police Officer: Chief Hurley spoke to his appreciation for Officer Calvin Nagle's service. Motion by Mathers, seconded by Krage to accept the resignation of full-time officer Calvin Nagle effective Saturday, December 31, 2022, and authorize a letter of appreciation for his service to the City of Houston and its residents. Motion carried unanimously. A competitive search for a full-time officer was authorized contingent upon confirmation of vacancy at the regular council meeting held December 12, 2022.

Gambling Permit: Motion by Krage, seconded by Westby to approve a gambling permit with no waiting period for Sheldon Valley Sportsman's Association for an event to be hosted at the Houston Community Center on March 25, 2023. Motion carried unanimously.

Accept 2022 Donations: Motion by Mathers, seconded by Baumann to adopt the following resolution accepting 2022 donations. Motion carried unanimously.

RESOLUTION 2023-02

A RESOLUTION TO ACCEPT DONATIONS

WHEREAS, the City of Houston is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

WHEREAS, from January through December 2022, the following persons and entities have offered to contribute the cash amounts set forth below to the city:

<u>Name of Donor</u>	<u>Date</u>	<u>Amount</u>	<u>Purpose</u>
Anthony & Lisa Schultz	March	\$1,000	Community Center
Community Garden	Dec	\$420	Community Garden
Thomas & Debra Stilin	February	\$500	Library
American Legion	February	\$500	Library
American Legion	July	\$500	Library
American Legion	September	\$500	Library
American Legion	December	\$2,000	Library
Houston County (ARPA)	March	\$40,000	Ambulance
Charlotte Unnasch	March	\$500	Ambulance
American Legion	March	\$14,400	Ambulance

American Legion	April	\$10,000	Ambulance
American Legion	October	\$5,500	Ambulance
American Legion	December	\$10,000	Ambulance
Pat Hetland	December	\$5,000	Ambulance
Houston County (ARPA)	March	\$40,000	Fire
Money Creek Sno-Riders	May	\$500	Fire
Pat Hetland	December	\$6,000	Fire
Houston United Campaign	June	\$2,512	Summer Rec
AA	March	\$250	HNC
Houston United Campaign	June	\$493	HNC
Cash	September	\$200	HNC
AA	October	\$100	HNC
Winston Gravel Cup	November	\$1,000	HNC

WHEREAS, all such donations have been contributed to assist the city in the establishment and operation of facilities and programs either alone or in cooperation with others, as allowed by law; and

WHEREAS, the City Council finds that it is appropriate to accept the donations offered.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HOUSTON, MINNESOTA, AS FOLLOWS:

1. The donations described above are accepted and shall be used to establish and operate facilities and programs either alone or in cooperation with others, as allowed by law.
2. The city clerk is hereby directed to issue receipts to each donor if requested acknowledging the city's receipt of the donor's donation.

2023 Appropriation: Motion by Krage, seconded by Westby to adopt the following resolution. Motion carried unanimously.

RESOLUTION 2022-03

A RESOLUTION AUTHORIZING APPROPRIATION

WHEREAS, the City of Houston Council approved the 2023 Annual Budget on December 12, 2022;

WHEREAS, the Office of the State Auditor authorizes certain expenditures for public purposes one of which is Promotion; and

WHEREAS, the City of Houston Council recognizes the Chamber of Commerce works to promote, advertise, improve, and develop the economic resources of the city; and

THEREFORE, BE IT RESOLVED, by the City of Houston Council, that the following appropriation will be made in 2023 as appropriate from the General Fund:

ORGANIZATION	2023 BUDGET
Houston Chamber of Commerce (Maximum)	\$3,000
Root River Trail Towns	\$300
SMIF	\$200

BAM Event: Quinn provided an overview of communications and needs with BAM Event organizers. Chamber Representative Ron Evenson shared his organization expressed support for the event at their meeting earlier tonight. Motion by Mathers, seconded by Westby to approve camping at City Park and authorized staff to continue working with event organizers on planning. Motion carried unanimously.

Local Board of Appeal and Equalization (LBAE) Meeting: The Count Assessor has scheduled the City of Houston LBAE meeting for Wednesday, April 26, 2023 beginning at 5:30 p.m. Motion by Krage, seconded by Mathers to agree to the scheduled meeting date and time being Wednesday, April 26, 2023, beginning at 5:30 p.m. Motion carried unanimously

Minutes and Bills: Motion by Krage, seconded by Mathers to approve the minutes of the December 12, 2022, regular meeting, and bills as presented. Motion carried unanimously.

Items to be Placed on File: Motion by Mathers, seconded by Baumann to place on file the following items. Motion carried unanimously.

Library Updates and Information, and circulation statistics
Minnesota Energy Resources Correspondence related to rate increase

Department Head Updates:

Police: Chief Hurley welcomed new council members. He reviewed information contained in the 2022 Crime Report which is on file. Discussion was held regarding prosecution fees. Chief Hurley noted a declining trend in bar calls and how the report is representative of all calls whether coverage was provided by local or county law enforcement.

Public Works: Thesing reported on a communication board which failed on Well 3 just before the holiday. There is still a need to install railing, the waste pump, and a stairway at the WWTP. The project is otherwise mostly complete. Thesing indicated he will work with Sugar Loaf Ford to get the municipal truck traded.

Clerk/Administrator: Quinn provided an update on the audit, BAM Event, EV charging station, and annual reporting.

Public Comment: Ron Evenson invited a council member to join the executive committee of the Chamber which meets on the 3rd Monday of each month. Westby volunteered to represent the council on the Chamber Executive Committee.

Adjourn: Motion by Baumann, seconded by Westby to adjourn the meeting at 7:30 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Monday, February 13, 2023.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. February 13, 2023, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Emily Krage, Cody Mathers, and Steve Westby. Staff present: Michelle Quinn, Randy Thesing, and Brett Hurley. A listing of public members present is on file.

Wastewater Treatment Plant: Matt Mohs provided an update of completed items and upcoming work schedule at the WWTP. He took time to explain the process and offered his availability to provide greater detail to interested council members. Mayor Wallace had specific questions related to the change order. Discussion was held. Matt Mohs reiterated the contingency is included to cover the what ifs, and other unforeseen challenges having to do with a project. Motion by Krage, seconded by Westby to pay estimate #19 in the amount of \$18,795.55, #20 in the amount of \$22,773.34, and #21 in the amount of \$6,926.50 from Wapasha Construction Co. Motion carried unanimously.

Wastewater Treatment Plant Change Order: It was noted there is a contingency built into the project which will cover the proposed expenses. Motion by Mathers, seconded by Baumann to approve Change Order No. 2 from Wapasha Construction Co. in the amount of \$20,885.63 to provide exterior coatings on the existing operations building, additional time for concrete removal in biosolids digester and additional fittings for the biosolids loadout pump. Motion carried unanimously.

Sewer Lining Project Utilizing ARPA Funding: Matt Mohs reported when the City received ARPA funding, it developed a plan which complied with requirements to use the funding. The funding is intended for use on a single project to line as many feet of sewer as it will cover. The manholes along Cedar have already been rehabbed. This project clearly complies with use requirements and reduces reporting since it is a single project and will exhaust all available funding. This project will ramp up quickly as the funding needs to be spent by the end of 2024.

Appointment of Council Member to International Owl Center meetings: Karla Bloem was invited to explain the intent of appointing a member or members of council to work with members of the International Owl Center which is to expedite the execution of the option and licensing agreements. Westby expressed support for the appointment of two council members. Motion by Mathers, seconded by Baumann to appoint Emily Krage and Steve Westby to the International Owl Center committee.

Agenda Placement of Public Comment Period: Following discussion, motion by Westby, seconded by Krage to move the placement of the public comment period to the beginning of the agenda. Motion carried unanimously. It was agreed that Mathers and Clerk/Administrator Quinn would work to develop a proposal of public comment parameters and return it to council for consideration.

OHV: The OHV Exit Committee presented a resolution for consideration at the January council meeting. The council acted to request review of the proposed resolution by legal counsel. The exit committee has recommended a proposal and to have the exit committee members act as representatives. This will allow movement and discontinue the languishment of the project. Krage state action be tabled to allow further review of the exit committee's proposal and research information contained in email correspondence received just prior to this evening's meeting. When asked whether members were prepared to appoint representatives, Krage responded that she was not prepared to act in light of recent information she has not had adequate time to research. Steve Westby expressed support to keep the project moving timely as it has been allowed to languish. Mayor Wallace invited action to establish a specific time in which action would be taken. Krage commented that it is unknown whether research will provide clarity or raise additional questions and expressed support for allowing latitude to see what the

research uncovers and where it leads. Mathers and Baumann expressed support for allowing time for all members to do their due diligence so they are informed and comfortable in the action they choose to take. It was agreed to table action at this time.

Police Officer Position: Chief Hurley reported interviews for the police officer vacancy had been held. The police commission and Chief Hurley recommend extending a conditional offer of employment to Joshua DeBoer. Motion by Mathers, seconded by Krage to extend a conditional offer of employment at the advertised pay rate to Joshua DeBoer contingent upon successful completion of required background checks. Motion carried unanimously.

Seasonal Summer Maintenance: Motion by Baumann, seconded by Mathers to authorize a competitive search for one seasonal summer maintenance position at the same rates of pay as last summer season. Motion carried unanimously. Seasonal workers will serve for a maximum of 185 days from first assignment to last.

Proposed OHV Trails Project FAQ: Westby expressed concerns that the FAQ's posted online are not factual and are creating unnecessary concern and fear among residents. Krage stated if the FAQ says "may" that is a fact. It is possible funding accepted "may" need to be repaid. Discussion was held. Motion by Mathers, seconded by Westby to authorize the removal of the Proposed OHV Trails Project FAQ from the city website. Motion carried with Krage voting in the negative.

Juneteenth: Motion by Baumann, seconded by Krage to adopt the following resolution. Motion carried unanimously.

RESOLUTION 2023-04

A RESOLUTION ESTABLISHING JUNETEENTH AS A CITY HOLIDAY

WHEREAS, Juneteenth has been recognized as a federal holiday celebrating freedom from slavery in the United States; and

WHEREAS, the State of Minnesota legislators passed bills from the House and Senate floors which were signed into law by the Governor on February 3, 2023, establishing Juneteenth as a state-recognized holiday; and

NOW THEREFORE, BE IT RESOLVED, that the date and rules of observance of the holiday shall be as specified in Minnesota Statutes §645.44 and the City is bound to comply; and

BE IT FURTHER RESOLVED, that the City Council establishes Juneteenth (June 19) as a City of Houston holiday with the closure of City offices and authorizes City of Houston Personnel Policy Section 700.01 Holidays and City calendar of regularly scheduled meetings be updated to reflect the change.

Curbside Pickup of Garbage and Recycling: The curbside pickup of garbage and recycling contract is expiring soon. The council may renegotiate with the current vendor or go out for bids. It was noted two additional vendors have expressed interest in submitting a bid should it be opened for that. Westby commented on the good service provided by the current contractor, Waste Management. Changing

contractors would be a significant undertaking. Motion by Baumann, seconded by Westby to authorize direct staff to negotiate renewal of services. Motion carried unanimously.

Levee Recertification/Cooperative Construction Agreement: Motion by Mathers, seconded by Westby to approve the Cooperative Construction Agreement with State of Minnesota Department of Transportation, adopt the following resolution and authorize the appropriate signatures. Motion carried unanimously.

RESOLUTION 2023-05

IT IS RESOLVED that the City of Houston enter into MnDOT Agreement No. 1051757 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for routine maintenance by the City upon, along, and adjacent to Trunk Highway No. 16 and No. 76, the limits of which are defined in said Agreement.

IT IS FURTHER RESOLVED that the Mayor and the Clerk/Administrator are authorized to execute the Agreement and any amendments to the Agreement.

PFAS Cost Recovery Program: Motion by Baumann, seconded by Mathers to authorize staff to register the city utility for the PFAS Cost Recovery Program. Motion carried unanimously.

EV Charging Station: Randy expressed support for the proposal. Motion by Westby, seconded by Mathers to approve the location of the EV Dual Charging Station on the east side of the Community Center and to accept the quote of Hoskins Electric, Inc. for the required electrical work and hookup. Motion carried unanimously.

Lamppost Flowers: Motion by Krage, seconded by Westby to authorize the ordering and purchase of business district lamppost flowers and to hire Ken Carrier to care for the flowers under the same parameters as 2022. Motion carried unanimously.

Declare Surplus and Authorize Sale: Motion by Mathers, seconded by Krage to adopt the following resolution. Motion carried unanimously.

RESOLUTION 2023-06

A RESOLUTION DECLARING EQUIPMENT AS SURPLUS AND AUTHORIZING THE SALE OF THE SAME

WHEREAS, the City of Houston Council has been advised by staff that the following item(s) or equipment are no longer needed for current or future municipal operations:

1988 International rescue truck, unit #123

AND WHEREAS, the value of this/these item(s) is estimated to be less than \$25,000,

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

1. The council declares the property listed above as surplus.
2. The council authorizes the disposal of said property to City of Hokah/Hokah Fire Department pursuant to Minn. Stat. §471.64 subd. 1 at a price of \$3,500, which is fair market value of the property.
3. Pursuant to Minn. Stat. §15.054, the property will not be sold to a city officer or employee.
4. All sales shall be final and the property is to be sold in "as-is" condition.

Grant and Donation Received for Ambulance Equipment: The Houston Community Ambulance was able to purchase a second Lucas System so that one was available in each of the services two ambulances. This equipment purchase was made possible due to a generous donation from the Houston American Legion in the amount of \$10,000, a grant in the amount of \$4,000 from Compeer Financial and ambulance funds. This will allow the Houston Community Ambulance staff to deliver the highest quality CPR to ensure the best possible outcomes for those they serve.

Valley View Annual Meeting: It was agreed Mayor Wallace would attend the Valley View Annual Meeting to represent council on Saturday, February 25, 2023, beginning at 10:00 a.m. at the Cross of Christ Church.

Minutes and Bills: Motion by Krage, seconded by Mathers to approve the minutes of the January 9, 2023, regular meeting, and bills as presented. Motion carried unanimously.

Items to be Placed on File: Motion by Baumann, seconded by Westby to place on file the following items. Motion carried unanimously.

Correspondence from SMIF including 2022 Impact Report
Library Updates and Information, and circulation statistics
Chamber Newsletter

Department Head Updates:

Public Works: Randy expressed appreciation for staffing. He discussed lead service lines and requirements to inventory them. Funding may become available to update existing lead service lines. He recommended researching new water meter equipment as the current meters are nearing what was anticipated to be their useful life expectancy. Staff will be reestablishing pads for cold mix and other stored items now that the construction is nearly complete at the WWTP. He was pleased to share that the streetlights have been repaired. Three lights were updated with LED. He invited the public to report any non-functioning streetlights.

Police: Chief Hurley provided an update the squad delivery is expected in April. Houston will be hosting Hostile Event Response Training (HURT) on Saturday, April 15th. This training will include 60-80 EMS personnel (police, fire, EMT). There are observer opportunities. Interested parties may sign up with him.

Library: Librarian Gibson-Gassett reported Summer Reading is planned and provided in the packet information about funding streams. She was pleased to share the Library has been able to access continued ARPA funding through the school system. The library continues to partner with meet up and eat up. The Annual Valentine's Quilt Raffle is tomorrow; however, ticket sales have been sluggish. This fundraiser is being reevaluated due to decreased interest and diminished fundraising. The Library Board is working to revise policies and revised both job descriptions which were recently submitted to City

Hall. She reported the annual Department of Education report is due April 1. She reported the front pillar was damaged and asked City Maintenance to replace the boards and added library staff will paint the pillar once the boards have been replaced.

Clerk/Administrator: See written update which is on file. See also information from County Commissioner, Eric Johnson related to Public Hearing and Proposed Moratorium on the Sale of Edible Cannabinoid Products which is on file.

Summer Rec: Emily Krage shared that baseball and softball signup is scheduled for Wednesday. Scheel's offers sponsorships and she has submitted an all-inclusive needs list to Scheel's in hopes of being awarded equipment or funding to purchase equipment.

Public Comment: Larry Connery shared the county has a public comment meeting policy.

Adjourn: Motion by Krage, seconded by Baumann to adjourn the meeting at 7:29 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Monday, March 13, 2023.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. February 17, 2023, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Emily Krage, Cody Mathers, and Steve Westby. Staff present: Michelle Quinn and Brett Hurley. A listing of public members present is on file.

Public Comment Period:

Mayor Wallace opened the floor to public comment requesting speakers state their name for the record.

Dan Larson of the MN 4WD Association expressed appreciation for the opportunity to address the council. He stated the City and the MN 4WD Association have partnered on this project for 17 years. He has been involved all 17 of those years. MN 4WD Association, ATV, and Motorcycle Clubs see the exit plan. He indicated the organizations will unite and fight to preserve GIA (Grant In Aid) funding. The organizations wish to continue to collaborate with the City and have no desire to have confrontation. He recognized it is natural, with any new project, to experience pushback. He pointed out that many of the concerns voiced during the Gilbert project were concerns which never resulted. He shared how studies show off highway vehicle groups spend the most in local economies. He encouraged those in attendance to consider the big picture and refrain from a narrow focus. He stated that organizations do not invest in a location where they are not welcome. The organizations were once welcome in Houston and the investment was made. While the city has changed, the associations he is involved with have not and they wish to be good neighbors. The associations are good neighbors in Appleton and Gilbert and will be here. He expressed his understanding that there is a plan regarding the spent funds. Unfortunately, he shared his opinion that the GIA funding streams are at stake. He also expressed his opinion that there is no integrity in accepting funding to acquire property for a specific project and then withdrawing support.

Councilperson Mathers expressed concern that Mr. Larson has come to town, made threats, and claims to desire a continued friendship. He stated an election took place which was basically a referendum on this very issue.

Councilperson Westby stated the city has spent 17 years considering the big picture. This has cost the city money.

Dan Larson expressed understanding and agreed that money has been spent on the project.

Councilperson Westby questioned if the project was such a good idea why it hadn't been completed by this time. He expressed concern that many involved have never looked at the hill where the project is proposed. He expressed frustration that when the city questioned the DNR on who would construct the trails now that Trails Unlimited was no longer, the DNR responded the city would be required to select a qualified contractor. Westby indicated the city doesn't have trail building expertise and it would be difficult to identify such expertise in a contractor. He recognized that many people ride trails however, constructing trails in the flat iron range up north is not the same as constructing trails on a hill with fragile soils prone to erosion. He questioned how many people would travel to ride the proposed trail which is not significant in length. He expressed ongoing concern that the city continues to pay staff, and nothing happens regarding the project, and the DNR has failed to follow procedure. It was noted the DNR is developing a response to allegations of failure to follow rules.

Mayor expressed appreciation for the comments shared by Mr. Larson and questioned why a feasibility study was never conducted.

In closing, Mr. Larson expressed his desire to continue to maintain the friendship that had been developed.

Karla Bloem indicated the state attorney had informed the city the grant agreements use the word "may" when referencing payback.

When Mr. Larson was asked what his position was, he responded he is the Government Affairs Director of MN 4WD Association. He shared how members of the MN 4WD Association were present to assist in Rushford following the 2007 flood.

Larry Connery stated he was serving as county commissioner at the time of the OHV Trail projects inception. He indicated the proposal never went through any county approval. He also shared his belief the project would not have been approved. He also shared his understanding that originally it was slated for OHV only. When the other associations (OHM and ATV) expressed interest in involvement, the project grew in scope. He stated there are rattlesnakes on the hill where trails are proposed. He shared his opinion that the pushback is related to location, and residents have elected this body to ensure the area is protected from this project.

Cecil Nelson shared his opinion that landowners will not tolerate threats related to GIA funding, and that such threats could result in private property owners denying access to property impacting current snowmobile trails in the area.

Mike Haef, Board of Directors of Rochester Rough Riders, while he hasn't been a part of the group since the inception of the project, he is aware of the work the club has devoted to it. He admitted the club hasn't been as present in the community over the most recent 5 years but was active in the area prior to that. He cited activities the club has participated in which include Hoedown and assisting in flood recovery activities in Rushford in 2007. He stated he spends money in town when he is present.

Dan Larson shared how associations make it a point to invest in host community local economies, they purchase supplies where they recreate, build relationships where they recreate, and make friends where you recreate.

Karla Bloem stated the city is not destitute or dying for tourism. She shared the International Owl Center hosted 11,000 visitors and anticipates that visitor ship to increase to 40,000 annually once the permanent home has been constructed. She shared there is documented adversity where non-motorized and motorized activities are comingled. She pointed out the DNR did not have the appropriate authorization to acquire the land and how a NEPA was never conducted. She claimed the DNR has shielded this information from the council. She stated she has acquired documents through data requests which support this and a document outlining the shortcomings has been prepared. She explained why erosion is such a significant concern, how the proposed project area is home to a host of state rare species and bluff lands. She, along with friends spent time to identify threatened species the DNR was unaware were present. She stated that no FONSI has been issued. She expressed concern with why historical research which was conducted failed to recognize or reference the 1880's lime kiln which is present on the site. All the points she has referenced are things, in her opinion, the

DNR should have been responsible for ensuring where adequately researched and documented. The concerns have nothing to do with the partner clubs.

Holly Westby shared her love for the community and her home. She stated it is a small area and expressed her belief that residents have a strong desire to protect the bluffs and all the species it is home to. She shared how she does not want the quiet evenings spent on her deck disrupted by the noise of vehicles on the trails. She shared that she has family living in the Gilbert area and expressed disagreement with how some are representing that area. Dan Larson encouraged those present to speak with experts.

Dan Larson shared his observation that the city and associations appear to be at an impasse.

Mayor Wallace questioned whether other communities were interested in collaborating on projects with the associations. Mr. Larson responded they have approximately 20 projects in the works and shared details related to the Border to Board project that starts in Silver Bay, Minnesota, traverses the state into North Dakota and to the Canadian border. Do you have other communities wanting you. Dan Larson responded with the example of the border-to-border touring route starting in Silver Bay to North Dakota and to the Canadian border.

A comment was made that even a campground can have a significant impact on a small community.

Someone questioned the long-term plan for this project.

Karla Bloem stated an additional grant had been submitted for the acquisition of additional property to expand the project area. She shared her understanding that the proposed property was not suitable and the DNR had failed to recognize this fact when it approved the submission. She explained how the landowner has already constructed trails on the property which would not qualify for GIA. She questions why the DNR would approve something before researching it.

An opinion was shared that a three-acre parking area was not necessary for such a short segment of trail. Dan Larson responded at some point; it was the hope the trail would expand. When asked why Houston was selected, he responded it is a growing recreation and there is a desire to promote and provide places to recreate in this manner and there was a time when it was a welcome idea.

Karla Bloem questioned why, with this type of trail, the land is acquired. She provided an example of how GIA snowmobile trails travel routes across private property. Mr. Larson stated Karen Umphress would be the best person to provide a response to the particular question.

Karla Bloem shared her understanding how neither the county, nor townships wanted this project and questioned why the associations were here. Dan Larson responded that the associations were wanted to partner on the project; however, now they are here because they have an investment in the project.

It was noted that the GIA funding stream is made up of unrefunded gas tax and registration tax of those specific vehicles.

Karla Bloem stated the MN 4WD Association did not allocate the funds to the City of Houston.

Jeri Virock, lifelong city resident, shared that she has never supported this project. She has no issue with Mr. Larson or the associations. The concern is about the location which, in many opinions, is not viable for the activity which the associations promote, and about preserving the bluff and preventing destruction. She strongly expressed her belief that the trails will not be sustainable. Her position has resulted in having words with her sister who was Mayor at the time of project inception. The pushback against the project is not about money, rather it is about the concerns that a proper review was not and has not been conducted and proper authorization was not granted prior to property acquisition. She echoed the sentiment of Ms. Bloem who has shared and articulated mounting concerns with the DNR's handling of things. In closing, Ms. Virock stated that there has been significant investment in the project by the city and associations and the question remains what to do now.

Karla Bloem stated noise is a concern for the people in town. She indicated an initial study modeled only ambient noise. More recently, the city had an additional sound study completed. Ms. Bloem shared her understanding that it was not advisable to conduct sound studies when wind speeds exceed 11 mph. She shared her belief that on the day of the sound study, winds were exceeding the threshold. She believed sound measuring devices were to be placed on adjacent properties however, she did not observe such equipment on adjacent properties. While an initial report was provided to the city, no final report was submitted.

Dean Hunter, MN 4WD member, shared how sound measuring devices are located at the entrance of Gilbert. Vehicles operating on the trail may not exceed 100 decibels. Karla Bloem commented how sound testing does not matter because residents can hear noise from atv's operating around town and on the bluff and can hear when someone is operating a chainsaw. She explained how the area acts like an amphitheater and sends the noise into town.

Cullen Olson questioned whether members of the gallery wished to shut down the snowmobile trails. Jerry Tippery stated he does not hear snowmobile noise.

One jeep enthusiast stated they have participated in parades and even experienced protestors make comments on how quiet their vehicles are as they pass. Most of the vehicles have stock exhaust. This person feels that a fair number of jeep enthusiasts come to enjoy the scenery. They shared how they find great enjoyment in viewing the scenery, wildlife, birds, hills, bluffs, and mountains from their vehicle.

Karla Bloem reminded those present how eroded sand had to be plowed off Grant Drive during the construction of the Water Treatment Plant. She stated that the project utilized erosion control measures and still suffered the effects of erosion. Jerry Tippery affirmed this stating he was unable to access his driveway. Karla Bloem shared her opinion that driving a vehicle through the middle of a rare bluff prairie is not enjoying nature.

Dan Larson stated the associations have \$225,000 invested in this project. It is unfortunate the concerns voiced this evening were not raised 17 years ago. He indicated the associations would not be here if they had.

Hein Bloem suggested the groups work together to discuss a compromise and find a way to work through this.

A female from Stockton, Minnesota shared there are manuals for trail building and maintenance to mitigate erosion. Her community has a trail, and she sees people enjoying the trails, coming to the local businesses and enjoying the activity as a family. She claimed it is not about always going fast. Karla Bloem stated the trails near Stockton are linear and the trails proposed for this project are not.

Holly Westby expressed concern how little it may take to cause destruction on trails such as the ones proposed.

Hein Bloem shared his opinion that he would not travel to ride a trail mid-week. He shared his belief that working individuals would likely travel to ride trails on the weekends when the residents are wanting to enjoy their days off from work.

Karla Bloem agreed that manuals are available. She commented that trails can fail. Trails Unlimited designed the proposed trails which appear challenging, construction of which is likely to require a high level of knowledge and expertise and will require maintenance. The city would be required to identify and hire contractors with the appropriate expertise.

OHV: Mathers reiterated the resolution intent is to authorize a group to explore options with legislators to resolve the project. It is likely there will be some costs related to resolving the project regardless of the path. Adopting the resolution will be a tool to explore more options. That is the spirit of the resolution. It is not a reflection of the city's opinion of the clubs.

It was noted, while a meeting was held on Monday night, there was a need to act so that things could begin moving. The decision tree options do not appear to fit. Action is required so the DNR may begin reviewing 59 pages of findings.

Mayor Wallace invited council discussion.

Councilperson Krage stated she requested more time to research recently shared information. The findings shared by the exit committee is a large document with many statements which appear to be based on emotion rather than fact. Krage shared her feeling of being disrespected since she left Monday's meeting with a belief that she would have until the March meeting to research the things that raised question for here only to learn on Tuesday that a special meeting had been called leaving her 3 days to complete her research. She stated during Monday's regular meeting, she shared schedule information, so the council was aware that one of the evenings she had a commitment to summer rec registration. This resulted in her having only two evenings to prepare. She expressed her discomfort voting for this. She stated she is not okay saying yes to these things. She expressed her belief that the council could have had conversations that would have allowed her to become comfortable in her decision. She stressed that she is on council to make decisions for the community. While other members claim this is not to back out of the project, Krage expressed it did not appear that way to her.

Westby asked Krage what her specific concerns were. Krage responded there appears to be a lot of emotion behind it. She expressed concern with being focused on the long term as the council makes decisions and with voting yes due to feeling pressured to act quickly. She reiterated her displeasure with having left Monday's regular meeting, feeling that she had time to do her due diligence only to learn later Tuesday a special meeting had been called for Friday. The city has spent money to convene two council meetings in a week's time to discuss the same topic with no time lapse to have conducted additional research which may have impacted a decision. Krage shared how she takes pride in and

spends time to do a good job for the community. She admitted she does not make decisions quickly and the pressure to act is only adding to the unpleasant feeling. Mathers questioned whether breaking it down into the adoption of the resolution followed by action related to the findings would be beneficial. Krage admitted discussion, asking questions, and learning more would be helpful prior to acting.

Krage shared her understanding that Mathers wished to have a united council. Krage explained how she is not for or against one thing. She expressed again concerns with how the findings are written/being presented. She had hoped to move forward thoughtfully by asking more questions and refining things. She expressed her feeling that this is a decision trail or no trail.

Mayor Wallace indicated there is a need to provide something in writing to the DNR.

Krage shared her understanding that something must happen and her hesitance with going about it in this particular manner. Mayor Wallace recognized it would be a long road. A lot of work and time will be required before there is resolution.

When asked why this meeting was called for on Tuesday, Mayor Wallace responded that the DNR was in need of details.

Krage stated she would not support something that appears to be based on wishes and hopes or that could have a greater negative impact. There is a significant amount of unknown.

Westby reiterated that the council is not voting on the project. He expressed his desire to act so that something gives, or some movement takes place. He expressed frustration with revisiting the same issues repeatedly. He shared his thoughts that it is about location and preventing damage. He shared his opinion there are more suitable locations. Westby shared he has talked with many people and he is comfortable with his knowledge and is prepared to act.

Krage stated again that there is too much emotion surrounding the project. Action will set a precedent. She has witnessed bullying when individuals snicker at other's statements. Emily, there are people who signed to get you off their doorstep.

Mathers stated the council is at a "chicken and the egg thing" council is not aware of what conversations it can have until they have the conversation.

The exit committee has worked to gather and compile as many facts as possible.

Councilperson Mather questioned whether Krage would be supportive of action on the resolution at this time if the 59-page findings document was separated from the resolution and considered as a standalone item.

Councilperson Westby expressed support for taking some action.

Councilperson Baumann expressed his opinion that the project has been allowed to languish and some action is necessary to move things towards a resolution.

Motion by Westby, seconded by Mathers to designate Mayor Wallace, Councilperson Mathers, Anna Benda, Karla Bloem, Larry Connery and Ron Evanson as representatives of the city to participate in

discussions with state and/or federal officials as needed to bring about project goals, adopt the following resolution and to include the 59-page findings of fact document with the resolution transmission. A roll call vote was taken; Bauman – yes; Krage – no; Mathers – yes, Westby – yes. The motion carried.

Resolution 2023-07

WHEREAS the City of Houston (the city) expressed to the Minnesota Department of Natural Resources (MN DNR) in June 2021 a desire to understand the procedural and financial considerations surrounding the options to either move forward with, alter, or cease the continuation of the Off Highway Vehicle (OHV) project, and;

WHEREAS in October 2022, the MN DNR provided the city with a decision tree indicating all options to move forward with, alter, or cease the project would require significant costs to the city, and;

WHEREAS none of the options contained in the MN DNR decision tree are acceptable to the city, and;

WHEREAS the mayor and city council desire to form a committee of authorized city council and community members to communicate with state legislators regarding resolution of the OHV project;

THEREFORE, be it resolved that the mayor and city council wish to seek the assistance of state legislators and the DNR Commissioner's office in producing an acceptable resolution to the OHV project that:

- Allows the city to continue ownership of land parcels acquired as part of the project, and;
- Removes all deed restrictions on those parcels that require them to be used for motorized recreation trails, and;
- Allows the option to create public, non-motorized recreation trails with low environmental impact, and;
- Absolves the city of any obligation to repay state and federal motorized trail grant monies heretofore allotted to this project, and;
- Enables the City of Houston itself and organizations within the community to continue to be eligible for any future DNR grants and permits on the same footing as any other community, and;
- Invalidates the 2013 federal Environmental Assessment and thus revokes permission for motorized vehicles to use the original South Park property purchased with Land and Water Conservation Fund dollars.

Be it further resolved, that while the city council itself will have ultimate decision-making authority on the OHV project, the mayor and city council do wish to designate the below council and community members as representatives of the city to participate in discussions with state and/or federal officials as needed to bring about the above-mentioned project resolution goals. The individuals appointed include Mayor Wallace, Councilperson Mathers, Anna Benda, Karla Bloem, Larry Connery, and Ron Evenson.

Upon passage of this resolution, the mayor and council instruct the city clerk/administrator to transmit this resolution and its corresponding, 59-page findings of fact document compiled by the council-

appointed OHV Exit Committee to the appropriate MN DNR staff, Senator Jeremy Miller, and Representative Greg Davids.

Adjourn: Motion by Krage, seconded by Westby to adjourn the meeting at 7:19 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Monday, March 13, 2023.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. March 13, 2023, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Emily Krage, Cody Mathers, and Steve Westby. Staff present: Michelle Quinn, Brett Hurley, Steve Skifton, Liz Gibson-Gasset, Randy Thesing, and Josh Hongerholt. A listing of public members present is on file.

Public Comment:

Deb Chiglo stated she had submitted a request for notice of special meetings. She questioned why the council was not having the discussion involving the OHV. Cody Mathers responded that the exit committee was tasked with exploring exit options and includes two representatives from the council. It is a more efficient way to work with other elected officials. Mrs. Chiglo said that the open meeting law requirements are minimal. While the open meeting requirements were met, they failed to provide a perception of transparency. She also pointed out the minutes of the regular council meeting indicated more discussion would take place at the regular March meeting. She expressed her expectation that carrying out what was indicated in the minutes would have provided for greater public input.

Marlene Schultz expressed agreement with Deb Chiglo. She stated Friday night was not a good public meeting night as it is typical for people to go out socially on Friday's. She shared how Monday night the council indicated further discussion would take place during the regular March meeting only to call for a special meeting the following morning and to schedule the meeting as fast as rules allowed.

Wanda Hanson, reporter, stated information regarding further discussion at the March meeting appeared in the Fillmore County Journal article and not the official meeting minutes.

Emily Krage stated the discussion was left following the regular meeting that time would be allowed only to have the special meeting called for on Tuesday morning and scheduled as soon as possible.

In response to questioning why a special meeting was called, Mayor Wallace stated the DNR needed communication in writing.

Wastewater Treatment Plant: Matt Mohs provided an update of the project including planned pump startup scheduled for Thursday, March 16th. Motion by Mathers, seconded by Krage to pay estimate #22 from Wapasha Construction Co. in the amount of \$33,606.57. Motion carried unanimously.

Sewer Lining Project Utilizing ARPA Funding: Matt Mohs provided a timeline for the sewer lining project. He will be requesting authorization for initial planning items at the April meeting. He noted that due to the value of the project, quotes will be required.

Audit Recap: Andrew Forliti performed the annual audit of the City of Houston. He was present and provided an overview which included an unmodified "clean" opinion.

Refuse and Recycling: During the February regular council meeting, Council acted to approve renewal of the refuse and recycling contract through direct negotiations with the current vendor Waste Management. However, Richard's Sanitation and Harter's Quick Cleanup expressed interest in submitting proposals for the contract. At this time, three proposals were opened and read. Representatives from each of the vendors submitting proposals were present to answer questions.

Waste Management has been providing a service to the city for quite a long time. Appreciation was expressed for the long relationship.

One representative explained how the fuel surcharge is reviewed on the first Monday of each month and determines the applicable FSC for the month.

Waste Management stated they submitted a single price applicable to whichever cart selected.

Outfitting of New Squad: On the recommendation of Chief Hurley, motion by Westby, seconded by Baumann to accept the quote submitted by Guardian Fleet Safety in the amount of \$6,985.30 after trade, to outfit the 2023 Dodge Durango squad.

Summer Rec Staffing: Krage provided a timeline for summer rec staff hiring which includes recommendation to hire at the May meeting of the council. Motion by Westby, seconded by Mathers to authorize advertising for Summer Rec Student Staffing and to hold open the seasonal maintenance position until filled. Motion carried with Krage abstaining.

Gambling Permits: Motion by Krage, seconded by Baumann to approve a gambling permit with no waiting period for the Caledonia Wrestling Club for an event to be hosted at the Houston City Park on July 30, 2023, and another for DLC Inc. for an event to be hosted at the Houston Community Center on May 20, 2023. Motion carried unanimously.

Owl Center Donation Presentation: Karla Bloem presented a donation in the amount of \$500 to the city for International Owl Center visitors who utilize city restroom facilities due to the single restroom at the center.

Minutes and Bills: Motion by Mathers, seconded by Krage to approve the minutes of the February 13, 2023, regular meeting, the special meeting minutes of February 17, 2023, and bills as presented. Motion carried unanimously.

Items to be Placed on File: Motion by Krage, seconded by Baumann to place on file the following items. Motion carried unanimously.

Correspondence from Cathy & Joe Johnson
Library Minutes, Info, Circulation Statistics
Correspondence from James Hansing

Department Head Updates:

Public Works: Crews are monitoring potholes. Currently, crushed rock is the only option until material (cold mix) is available. One of the city hall furnaces is no longer functioning. It will require replacement in advance of cooling season. Replacement costs are being gathered and will be presented at the April meeting for consideration. An update on the use of the skid steer for winter sidewalk care was provided. There are areas where some adjustment is needed which will be evident once the snow is gone and the sod is in view.

Police: Chief Hurley was pleased to share all background requirements have been satisfied. Officer Josh DeBoer is expected to begin his work with the city on March 27th.

Library: Liz Gibson-Gasset read from the library information which was placed on file.

Clerk/Administrator: See update which is on file.

Public Comment: Damian Lampert questioned the council’s plan in the event that a portion or all of the OHV grant funding received by the city is required to be paid back. He expressed concern that not everyone can afford increased taxes. Mathers indicated there will not be a financial burden placed on taxpayers. He also questioned whether he could seek financial relief from the city for July 2023 storm damage of trees.

Adjourn: Motion by Krage, seconded by Baumann to adjourn the meeting at 7:31 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Monday, April 10, 2023.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. April 10, 2023, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Emily Krage, Cody Mathers, and Steve Westby. Staff present: Michelle Quinn, Brett Hurley, Josh DeBoer, Randy Thesing, and Josh Hongerholt. A listing of public members present is on file.

Public Comment: Rebecca Nelson, 110 N Chase Street, shared her displeasure with chickens being kept in the residence and on property at 501 Henderson Street. She alleged the chickens were running at large, that rats are present, and the general appearance of the property is poor. She questioned whether there were ordinances to address her concerns and requested they be enforced. She also shared how she has spoken with both the Administrator and Police Chief in the past regarding her concerns and how she felt she was not being heard. She shared that she suffers from a phobia of chickens, has expensive dogs which she does not want to get sick because they retrieved a dead rat and that she feared for her pet's safety if they were to leave her yard to pursue the chickens. She also claimed to have witnessed the resident of the property retrieving mail and disposing of it in the ditch as they returned to the residence.

Chief Hurley requested Ms. Nelson to phone the non-emergency number to report these things. He asked whether she noticed a pattern of when the chickens were out. He shared that some of the concerns may be addressed by the City Police Department, others such as the littering concern may be subject to County oversight if the mail was disposed of improperly on township property.

Mark Nesler, owner of Nesler Auto, expressed frustration with not feeling informed as a taxpayer. He expressed his thoughts that the Council does too little for small businesses in the community and that none of the vacancies get backfilled. He asked to be kept informed of issues which may impact him. The council encouraged Mr. Nesler to work with the Chamber as they are more active than in years past. He appealed to Council to promote tourism and bring in outside people and money.

Eileen Loken, owner of Sawmill Inn and Loken Inn in Rushford shared her family's story of building the Sawmill and Loken Inn's. She shared what significant financial and sweat equity investment her family made in those businesses. She stated due to family health challenges they are looking to divest those investments however, due to the negativity in the community the challenge to do so has been significant. She appealed to the Council for assistance to get the businesses sold so they remain viable in the community and continue to provide lodging options. She shared how guests express time and again they wish there was a breakfast restaurant option. She encouraged the Council to be transparent with plans and ideas and to engage the small business community in planning discussions.

A gentleman from the gallery questioned if the negativity could be turned into something positive. He stated he moved to Houston in the past few years but would not have had he been aware of the plans for the OHV Trail. He indicated he was aware the Council was approaching elected officials to find resolution.

Councilman Mathers stated a resolution, related to the OHV Trail, was adopted by Council in February. The council is working with Representative Greg Davids and Senator Jeremy Miller, along with DNR staff. A meeting to discuss resolving the issue has been requested, however it is not yet scheduled.

Karla Bloem reported the Owl Conference is scheduled for October in Onalaska, Wisconsin. She would have preferred to keep the event local, however the needs could not be met locally. She spoke

regarding the importance of having knowledgeable and trained individuals to be able to comply with noxious weed laws and encouraged staff responsible to seek training from the County.

Wastewater Treatment Plant: Matt Mohs provided an update of the project. Railings and painting are the remaining items. Railings are 6-10 weeks out. No pay application this month as none was warranted.

Sewer Lining Project Utilizing ARPA Funding: Matt Mohs provided an overview of the Cedar Street/CIPP (Cured in Place Pipe) Project. He said it was his goal to keep the project simple and cost effective. He shared how Bolten & Menk would prepare a quote package and provide project oversight. Day-to-day oversight of the project will be the responsibility of Public Works, who have experience with this type of project and can provide an onsite presence. Motion by Westby, seconded by Baumann to approve the Work Order for Project: Cedar Street (TH 16) CIPP Project in an amount not to exceed \$10,000. Motion carried unanimously.

Swearing in of Officer: Chief Hurley stated Officer DeBoer is in his third week with the City and is already proving to be a valuable addition to the community. At this time, Mayor Wallace administered the Oath of Office to Joshua DeBoer. Officer DeBoer's mother Loann DeBoer was present to pin his badge on.

Refuse and Recycling: Councilman Westby provide a brief overview of bids and reasoning for recommending acceptance of Waste Management Proposal 2. Motion by Westby, seconded by Mathers to accept proposal 2 from Waste Management for a five-year agreement to collect refuse and recycling. This is the proposal with a \$5 FSC Table. Motion carried unanimously.

Fireworks Permit: Karla Bloem expressed concern that a permit from the DNR is necessary prior to granting a permit for the fireworks and questioned whether they could be launched from the bike trail at all. It was agreed Administrator Quinn would research the matter further before council action.

Stampka Eagle Proposal: Danica Stampka presented her proposal for an Eagle project to install a flagpole on city owned property near the fest grounds. She has met with Public Works Superintendent Thesing at the proposed site which has been found suitable by Public Works. Motion by Krage, seconded by Westby to approve the placement and Ms. Stampka's Eagle project.

Personnel Items: Motion by Mathers, seconded by Westby to re-hire Leonard Olson as a seasonal maintenance person at the same rate as his last employment on an as needed basis. Motion carried unanimously.

City Hall Furnace Replacement: Motion by Krage, seconded by Westby to accept the quote provided by Schroeder Heating to replace the City Hall furnace at a rate of \$5,002.85. Motion carried unanimously.

Reporting: Motion by Mathers, seconded by Baumann to approve the 2023 Annual Grant Status Report and 2022 Annual City Report/Noxious Weed Control as presented, authorize the appropriate signatures on the same and request noxious weed training from the County. Motion carried unanimously.

Minutes and Bills: Motion by Krage, seconded by Baumann to approve the minutes of the March 13, 2023, regular meeting, and bills as presented. Motion carried unanimously.

Items to be Placed on File: Motion by Krage, seconded by Mathers to place on file the following items. Motion carried unanimously.

Library Minutes, Updates, Circulation Statistics
MDH Quarterly Reports
2022 MN Public Library Annual Report
SMIF Correspondence

Department Head Updates:

Public Works: Thesing expressed appreciation for the hire of the seasonal summer maintenance person. He shared the department has already utilized 4 tons of cold mix. The water and sewer main spring flushing is complete. The EV charger has been installed and wired. A no parking lane has been painted along the east side of the community building, and signs will be installed once received. The sludge pump start up went fine. The department is planning for sludge to be hauled soon.

Police: Chief Hurley shared that cameras are scheduled to be installed Wednesday. The system is capable of expansion if necessary/desired. Houston will be hosting HERT (Hostile Event Response Training) training on Saturday at the school. Chief Hurley received an update the squad was moved from the factory to upfitting on March 3rd. Spring refresher training for the department is coming up soon.

Library: Librarian Gibson-Gasset shared updates regarding the library which can all be found in her written updates placed on file. She shared that she will be retiring at the end of May this year and expects Library Assistant Peterson-Lee to apply for the Librarian position. She commented on the challenges facing small rural libraries and the need to continue to advocate for increased funding from the County.

Summer Rec Director: Summer Rec Director Krage expressed appreciation for the Chamber sharing Summer Rec Facebook posts and for businesses allowing her to leave registration forms at their locations. She was pleased to report that 50 kids were registered prior to the deadline.

Clerk/Administrator: See update which is on file.

Adjourn: Motion by Krage, seconded by Westby to adjourn the meeting at 7:35 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Monday, May 8, 2023.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. May 8, 2023, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Emily Krage, Cody Mathers, and Steve Westby. Staff present: Michelle Quinn, Randy Thesing, Liz Gibson-Gasset, Steve Skifton, and Josh Hongerholt. A listing of public members present is on file.

Public Comment: None.

Trailhead Park Bench Donation: Ron Evenson an individual is interested in donating labor and materials to install a concrete pad with four benches for seating at the bandshell. Picture so of the benches was submitted and placed on file. Public Works Supervisor Thesing indicated his willingness to work with the project proposer to ensure the concrete pad is installed to mitigate maintenance issues, in a manner not to complicate mowing of the area. Motion by Mathers, seconded by Westby to accept the donation as presented. Motion carried unanimously.

Gift Basket Presentation/Accept Donation: Bolton & Menk has generously donated a gift basket. Discussion was held. Library Director Gibson-Gasset indicated the importance of complying with Minnesota Gambling Board provisions for non-profits. The library has already held a qualifying raffle in 2023 and would not have the capacity to accept the basket to comply with regulation and organize a successful raffle. When asked, Fire Chief Skifton stated the Fire Relief Association would be able to comply with regulations and have resources to organize a successful raffle. Motion by Mathers, seconded by Baumann to accept the basket donation from Bolton & Menk, and donate the basket to the Fire Relief Association for 2023 and begin a rotation of donating the basket to Fire Relief Association, Friends of the Library, and Friends of the Nature Center. Motion carried unanimously.

Apple Trees: Kevin Lindh has offered an opportunity for non-profits to apply for a grant for apple trees (Liberty and Honeycrisp varieties for cross pollination success). The trees, labor for planting and mulch are being provided as part of the grant. Nature Center Lead, John Langheinrich applied for 2 trees to benefit the campground/natural playground area and replace trees which had been lost. The trees will be close enough to the playground for visitors to pick an apple to enjoy when fruit is ripe and available, and far enough that fallen fruit will not detract from visitor's enjoyment of the area. Motion by Baumann, seconded by Westby to accept the apple trees. Motion carried unanimously.

Motion by Krage, seconded by Westby to adopt the following resolutions accepting the donations. Motion carried unanimously.

RESOLUTION NO. 2023-08
A RESOLUTION ACCEPTING VARIOUS DONATIONS TO THE CITY.

WHEREAS, the City of Houston is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 et seq. for the benefit of its citizens and is specifically authorized to accept gifts.

WHEREAS, the following persons and entities have offered to contribute the items set forth below to the city:

<u>Name of Donor</u>	<u>Item</u>
Anonymous	Funding equivalent to or the labor and materials for a concrete pad with four benches
Bolton & Menk	Basket including game tickets and miscellaneous snacks, nominal value cups and can cozies
Kevin Lindh	Two apple trees including planting and mulch

WHEREAS, the anonymous donor wishes for the concrete pad with benches be installed to provide seating for those enjoying bandshell performances; and

WHEREAS, the basket donation is being made in appreciation of business relationship; and

WHEREAS, Bolton & Menk places no requirements on the basket; and

WHEREAS, Kevin Lindh made the apple trees, including planting and mulch available as a grant without requirements; and

WHEREAS, all such donations have been contributed to the city for the benefit of its citizens, as allowed by law; and

WHEREAS, the City Council finds that it is appropriate to accept the donations offered.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, MINNESOTA AS FOLLOWS:

1. The donations described above are accepted and shall be used as allowed by law.

Summer Concert Series: Historically, the city has provided the use of the bandshell as an “in kind” donation which has aided the organization in qualifying for grant funding which offsets the cost of the concert series. It also results in the City being recognized as a sponsor. Motion by Krage, seconded by Baumann to approve making an in-kind donation equal to the ordinance established rental fee for each night of the Summer Concert Series. Motion carried unanimously.

Refuse and Recycling: Motion by Westby, seconded by Mathers to approve the Municipal Recycling and Waste Agreement with Waste Management of Wisconsin, Inc. for refuse and recycling collection which expires July 31, 2028. Motion carried unanimously.

Rezoning Petition: On the recommendation of the Planning Board, motion by Baumann, seconded by Krage to adopt Ordinance No. 248. Motion carried unanimously.

Ordinance No. 248
An Ordinance Amending the Zoning Designation of
Pt SE1/4 SW1/4 & Pt SW1/4 SE1/4 and Two Lots in
Crookston’s Addition

WHEREAS, Parcels 24.0390.001, and 24.0530.000 being Pt SE1/4 SW1/4 & Pt SW1/4 SE1/4 and Lots 61 through 66 Block 2 Crookston’s Addition including vacated alley, in the City of Houston, Houston County, Minnesota, are zoned Commercial II and Residential I and;

WHEREAS, Minnesota Statute §462.357 provides authority for zoning and the requirements thereof; and

WHEREAS, the Houston Planning Commission recommends amending the zoning designation of the 2 parcels to Residential II and updating the zoning map to reflect the same and;

WHEREAS, the recommendation is based on the following findings:

It will support multi-unit housing, promote sustainability, and improve present utility services;

It will allow for the owner to utilize the property in a reasonable manner;

It aligns with the city comprehensive plan by supporting and expanding housing, is compatible with the neighboring commercial and residential designations, and will provide for an appropriate location for the long-established multi-unit housing use;

It is in harmony with the adjacent area and will provide an accurate and appropriate representation of the property, through streamlining and bringing into harmony the existing use with current zoning while providing for potential expansion.

It protects and respects both the property owner and community rights and is equitable to both.

WHEREAS, the city has complied with Minnesota Statute §462.357 Subd. 3 by providing notice and having held a public hearing on Monday, May 1, 2023.

NOW, THEREFORE, the City Council of the City of Houston, Minnesota, ordains:

That, upon the recommendation of the Houston Planning Commission, the following described real estate be rezoned from Commercial II and Residential I to Residential II.

Parcels 24.0390.001, and 24.0530.000 being Pt SE1/4 SW1/4 & Pt SW1/4 SE1/4 and Lots 61 through 66 Block 2 Crookston's Addition including vacated alley, in the City of Houston, Houston County, Minnesota

The official zoning map of the City of Houston shall be amended accordingly.

That this ordinance shall take effect upon its passage and publication.

Variance Request for 306 West Elm Street: On the recommendation of the Planning Board, motion by Mathers, seconded by Westby to approve the variance request and building permit application of Houston Public Schools and adopt the following resolution. Motion carried unanimously.

RESOLUTION NO. 2023-09

ADOPTING FINDINGS OF FACT AND REASONS FOR APPROVAL FOR VARIANCE APPLICATION OF HOUSTON PUBLIC SCHOOLS 306 WEST ELM STREET

FACTS

1. Houston Public Schools is the owner of a parcel of land located at 306 West Elm Street, Houston, Minnesota; and,
2. The subject property is legally described as found in variance application; and,
3. Owner has applied to the City for a variance of approximately 12 feet (with the north wall being located at the same distance from South Jefferson Street with no additional encroachment than the previously existing structure) to meet the 25-foot setback to install a dugout parallel and adjacent to South Jefferson Street; and,

4. The proposal would vary from City Code § 151.21 (E) (4), failing to meet the adjacent side street setback of 25 foot of a detached accessory building.
5. Following a public hearing held on May 1, 2023, the Houston Planning Commission recommended approval of the variance.
6. On May 8, 2023, the City Council of the City of Houston reviewed the requested variance.

APPLICABLE LAW

7. Minnesota Statutes Section 462.357, sub. 6 provides:
 - a. Variances shall only be permitted when they are in harmony with the general purposes and intent of the city code and when the variances are consistent with the comprehensive plan.
 - b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning code. "Practical Difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning code; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality.

Note: Economic considerations alone do not constitute practical difficulties.

The board or governing body may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

8. City Code allows variances if the applicant meets the criteria as stated in section §151.57.

CONCLUSIONS OF LAW

9. The requested variance is in harmony with the purposes and intent of the city code because it is a rebuild of structure which is totally on school owned property.
10. The requested variance is consistent with the comprehensive plan because the comprehensive plan's goal includes support for improvements which are replacement of previously existing dugout structures.
11. The property owner does propose to use the property in a reasonable manner because dugouts are considered a necessary accessory to a ballfield and are available on most widely used fields.
12. There are unique circumstances to the property not created by the landowner since the property has a municipal street dividing the parcel. Long-established athletic fields dictate the suitable location for the dugouts and field placement is such that relocating the field to negate the need for a variance is not practical or feasible.
13. The variance will maintain the essential character of the locality because dugouts existed in the proposed location over the past 20+ years, are common on school campuses with athletic fields and comply with title 9 legislation.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Houston, Minnesota, that the application to issue a variance to allow the re-building of dugouts with conditions as recommended by the Planning Commission, so as to deviate from City Code §151.21 is hereby approved; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Houston, Minnesota that the Building Permit Application is to be submitted to CMS for final approval.

WinSton Gravel Cup: Paul Reardon, race organizer, shared the Gravel Cup that was originally scheduled on the same day as the block party. This provided additional food options for participants and encouraged them to remain in town for the event. Unfortunately, he was informed on April 5th the block party date had been rescheduled to one week earlier. He stated, due to advertising, he was unable to move the race date. To meet the needs of race participants, he asked to be allowed to have mobile food units. He stated he has reached out to a local mobile food cart vendor however; they were committed to a prior engagement. Mathers expressed support for allowing food trucks if a local vendor or caterer is unavailable. Motion by Krage, seconded by Westby to grant approval for mobile food unit(s) in conjunction with the event scheduled for September 23, 2023, in accordance with Ordinance §113.08. Motion carried unanimously.

Temporary Liquor License: Motion by Mathers, seconded by Baumann to approve, authorize signature, and submission of the application and permit for a 1 day to 4 day temporary on-sale liquor license for Houston Hoedown Days for an event to be held July 2 through 30, 2023. Motion carried unanimously.

Fireworks Permit: City staff was notified that the MN DNR, upon additional review, has determined that a special event permit is required of DLC Inc. to close the Root River Bike Trail to host a fireworks display. Representatives of DLC Inc. have been notified of the requirement. No action is being requested of the council at this time.

Property/Liability Insurance Renewal – Waiver of Liability Limit: Motion by Westby, seconded by Krage to waive the monetary limits on municipal tort liability established by M.S. 466.04, to the extent of the limits of the liability coverage obtained from LMCIT. Motion carried unanimously.

Agreement and Commitment to Serve: Motion by Krage, seconded by Mathers to approve the agreement and commitment to serve with Sandy Erickson and authorize appropriate signatures on said agreement. Motion carried unanimously.

Library Director: Motion by Baumann, seconded by Westby to accept the resignation of Library Director Liz Gibson-Gasset, effective Tuesday, May 30, 2023, and authorize a letter of appreciation for her service to the City of Houston and its residents, and to declare a vacancy. Motion carried unanimously.

Library Director Position Description: Motion by Krage, seconded by Baumann to accept the position description as presented and authorize a competitive search. Motion carried unanimously.

Library Director Interview Panel: Mathers requested interview panel participants be appointed. Gibson-Gasset state the Library Board had already appointed three individuals in hopes that regardless of scheduling, two would be available. Those named to the interview panel include the Board President

and Personnel Committee. Motion by Westby, seconded by Krage to appoint Baumann and Mathers to represent council on the Library Director interview panel. Motion carried unanimously.

Summer Rec Program Staffing: Krage reported she hopes to hire students to staff summer rec camp programs being offered. Westby noted for many students this is their first opportunity to establish a work history. Motion by Baumann, seconded by Westby to hire the following individuals as student summer rec staff at minimum wage for 14-17 and 18 and over rates; Emily Botcher, Averie Evanson, Abigail Millen, Bella Millen, Dave Wallace and Troy Zibrowski, and to authorize additional hires who meet employment criteria so as many students as possible may begin to establish work history. Motion carried with Emily abstaining. It was noted Averie Evanson, Bella Millen, and Troy Zibrowski are all returning summer rec staff.

Minutes and Bills: Motion by Krage, seconded by Baumann to approve the minutes of the April 10, 2023, regular meeting, minutes of the April 26, 2023, LBAE meeting, and bills as presented. Motion carried unanimously.

Items to be Placed on File: Motion by Baumann, seconded by Mathers to place on file the following items. Motion carried unanimously.

Library Minutes, Updates, Circulation Statistics
Engineering Memorandum

Department Head Updates:

Fire Department: Chief Skifton shared all personnel and equipment will be participating in a live fire exercise out of town on Saturday. If a fire call is received, some personnel and equipment may be allowed to leave the live fire exercise to respond. This would depend on the nature of the call. Otherwise, mutual aid will be utilized to respond to fire calls occurring during this time.

Public Works: Thesing reported the painting was mostly complete at the wastewater treatment plant. Some touch up is required which the contractor will return to perform. Business district benches will be set out this week. The park restrooms have been opened for the season. The maintenance department has needed to address three leaks since they were opened early over the Easter weekend. Staff continue to try to determine the exact location of one leak. In the future, the facilities should not be opened early. Leonard Olson has started his seasonal term. Sludge hauling went well as staff learned to operate the new loadout pump. Business district flowers are expected to be hung before the Memorial Day holiday. He also extended an invitation to anyone interested in viewing the wastewater treatment facility now that it is complete.

Library: Gibson-Gasset provided an overview of information which is on file. She also cautioned that if the search to fill the vacancy languishes, it may be necessary to close the library on Wednesdays to tend to summer reading activities hosted at the city park and community center. It may become difficult to staff Saturday Storytimes also.

Clerk/Administrator: See update which is on file.

Closed Session: The time being 7:06 p.m. and pursuant to M.S. 13D.05 subd. 2 (b), motion by Krage, seconded by Baumann to convene a closed session to consider preliminary allegations

The time being 7:43 p.m., motion by Mathers, seconded by Westby to close the closed session and reconvene in open session. Motion carried unanimously.

No members of the public returned once the closed session ended. Quinn restated the purpose of the closed session was pursuant to M.S. 13D.05 subd. 2 (b) to consider preliminary allegations. No council action was taken other than to provide direction to staff.

Adjourn: Motion by Krage, seconded by Baumann to adjourn the meeting at 7:43 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Monday, June 12, 2023.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. June 12, 2023, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Emily Krage, Cody Mathers, and Steve Westby. Staff present: Brett Hurley, Ed Jacobs, and Michelle Quinn. A listing of public members present is on file.

Public Comment: Marlene Schultz requested approval to continue utilizing the city park for Hollidazzle's Christmas in the Park display which has been ongoing over the past several years. She recognized that many seats on the council have changed so she was seeking affirmation or reauthorization of permissions for the event. Motion by Westby, seconded by Baumann to affirm the continued use of the city park for the Hollidazzle Christmas in the Park display. Motion carried unanimously.

Jeannie Tippery expressed concern with various caretaking and appearance items across the city including the appearance of the west city entrance sign, city park restrooms and the lack of soap availability. She requested city attention to the beautification of the city and its facilities. Discussion was held.

Dan Smith echoed concerns with the appearance of the city park restrooms. The suggestion was made to paint the interior cinderblock walls and floor. City maintenance staff expressed concern with painted floors and slip hazards.

Wastewater Treatment Plant: Matt Mohs provided an update of the project. Punchlist items remain, however, the list is getting shorter. The most significant of the punch list items includes the installation of railings which are expected to be delivered in mid-June and the installation of baffles in the clarifier. It was noted no pay application is anticipated until the project is fully complete.

CIPP/Sewer Lining Project: Matt Mohs reported a kickoff meeting which included staff was held, the draft design has been completed, an additional meeting was held which has been followed up with the finalization of design and proposed timeline. Quotes will be solicited as opposed to bids due to the value of the proposed project. He noted a project completion date of October 2024 was intentional in hopes of securing the best pricing. Mathers questioned if winter weather would impact the project. Mohs responded extremes may have an impact however, much of the work may be completed under typical conditions. Mohs provided an overview of contractor responsibilities which includes providing specific notice to impacted residents. Bolten & Menk has boiler plate notices which will be utilized by the successful contractor. Discussion was held regarding accommodation and consideration for JT's Bar & Grill to mitigate disruption to their business. On the recommendation of Matt Mohs in collaboration with staff, motion by Baumann, seconded by Westby to authorize the solicitation of quotes with quotes be received on June 29, 2023. Motion carried unanimously. It was noted that this work should not be taking place during the last full weekend of July when the community hosts its annual Houston Hoedown Days festival.

Variance Request for 409 South Sheridan Street: On the recommendation of the Planning Board, motion by Mathers, seconded by Krage to approve the variance request and building permit application of Ron Albrecht and adopt the following resolution. Motion carried unanimously.

RESOLUTION NO. 2023-10
ADOPTING FINDINGS OF FACT AND REASONS FOR APPROVAL
FOR VARIANCE APPLICATION OF RON ALBRECHT 409 SOUTH SHERIDAN STREET

FACTS

1. Ronald Albrecht is the owner of a parcel of land located at 409 South Sheridan Street, Houston, Minnesota; and,
2. The subject property is legally described as found in variance application; and,
3. Owner has applied to the City for a variance of 2 feet (with the south wall being located at the same distance from the side yard property line with no additional encroachment than the previously existing structure) to meet the 4-foot side yard setback to reconstruct and increase the size of a detached garage; and,
4. The proposal would vary from City Code § 151.21 (E) (4), failing to meet the adjacent side yard setback of 4 foot of a detached accessory building.
5. Following a public hearing held on June 6, 2023, the Houston Planning Commission recommended approval of the variance.
6. On June 12, 2023, the City Council of the City of Houston reviewed the requested variance.

APPLICABLE LAW

7. Minnesota Statutes Section 462.357, sub. 6 provides:
 - a. Variances shall only be permitted when they are in harmony with the general purposes and intent of the city code and when the variances are consistent with the comprehensive plan.
 - b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning code. "Practical Difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning code; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality.

Note: Economic considerations alone do not constitute practical difficulties.

The board or governing body may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

8. City Code allows variances if the applicant meets the criteria as stated in section §151.57.

CONCLUSIONS OF LAW

9. The requested variance is in harmony with the purposes and intent of the city code because it meets all requirements apart from side yard setback.
10. The requested variance is consistent with the comprehensive plan because the comprehensive plan's goal includes support for property improvements.
11. The property owner does propose to use the property in a reasonable manner because detached garages are common across the city and two neighbors have gone on record in support of the proposed improvement.

12. There are unique circumstances to the property not created by the landowner because it is an unplatted city property with a metes and bounds description and no alley.
13. The variance will maintain the essential character of the locality because detached garages are common and desirable on residential properties, and it will maintain neighborhood aesthetics with an updated detached garage structure.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Houston, Minnesota, that the application to issue a variance to allow the re-building of the detached garage with conditions as recommended by the Planning Commission, so as to deviate from City Code §151.21 is hereby approved; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Houston, Minnesota that the Building Permit Application is to be submitted to CMS for final approval.

Lawn Chair Concert Food Truck: Westby reported he had spoken with local businesses who did not express any concerns related to the request to provide a taco truck on July 19th in conjunction with the Lawn Chair Concert Series, car, and tractor show. Motion by Mathers, seconded by Baumann to grant approval for mobile food unit(s) in conjunction with the event scheduled for July 19, 2023, in accordance with Ordinance §113.08. Motion carried unanimously.

Library Director: On the recommendation of the Library Board, motion by Krage, seconded by Westby to hire Beth Peterson-Lee as Library Director at a rate of \$22.87 per hour up to 29 hours per week, to authorize a competitive search for a library assistant due to a vacancy having been created which requires backfill, and to hire Haley Carr to assist at the Library under exigent circumstances that are in the public best interest at a rate of \$12.00 per hour for a term not to exceed August 31, 2023 or once a competitive search for a library assistant may be conducted and a regular hire made, whichever shall occur first. Motion carried unanimously. It was further agreed the posting would not occur until an updated position description for the library assistant position has been adopted by council which is expected to take place during the regular July meeting, to post the position at the 2023 compensation rate and that the position would be open to all eligible candidates, including Ms. Carr.

Root River Trail Extension Citizens Committee (RRTECC): It was noted that Hein Bloem has resigned from his committee position on the RRTECC. Motion by Mathers, seconded by Westby to post for a committee volunteer to represent Houston on the RRTECC. Motion carried unanimously.

Summer Rec Program Staffing: Krage expressed appreciation for a sizeable donation received from DLC, Inc for the benefit of Summer Recreation programming. She reported costs are kept low in hopes that all children will have an opportunity to participate. The fees charged for baseball and softball do not cover the expense for league registration, umpires, and season rental of portable toilets. There is a significant need for the program to update equipment. Equipment such as helmets expire and require replacement. In the past, Joe Brueggan has donated all time to assist with field prep. The donation received from DLC, Inc. will allow the program to purchase several items requiring replacement. This will have a significant impact on the program and participating youth. Dusty Franzwa was present to receive this information and expression of appreciation. Motion by Mathers, seconded by Westby to accept the donation and adopt the following resolution. Motion carried unanimously.

RESOLUTION NO. 2023-11
A RESOLUTION ACCEPTING VARIOUS DONATIONS TO THE CITY.

WHEREAS, the City of Houston is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 et seq. for the benefit of its citizens and is specifically authorized to accept gifts.

WHEREAS, the following person and/or entity has offered to contribute the cash amount set forth below to the city:

<u>Name of Donor</u>	<u>Amount</u>	<u>Purpose</u>
DLC, Inc.	\$1,000	Summer Recreation

WHEREAS, all such donations have been contributed to assist the city in the establishment and operation of facilities and programs either alone or in cooperation with others, as allowed by law; and

WHEREAS, the City Council finds that it is appropriate to accept the donation offered.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, MINNESOTA AS FOLLOWS:

1. The donations described above are accepted and shall be used as allowed by law.

Houston Volunteer Ambulance: At this time Houston Volunteer Ambulance EMT, Anna Frauenkron, met with council. She expressed concern with the service's ability to staff daytime shifts during the summer months. She reported June staffing has been challenging, however the service has been able to patch together the necessary staff for most shifts and mutual aid will be utilized to cover the remaining gaps. She shared that she will be unavailable to assist for 3 weeks in the month of July leaving 2 EMT's to bear the burden and proposed the City consider hiring EMT's to cover multiple day shifts per week. Westby stated the service is vital to the residents and shared he has personally called upon the service multiple times. He also expressed concern that with equitable treatment if EMT's are paid different rates with volunteer staff making on call pay of \$2 per hour and hired staff being paid a rate in the ballpark of \$14-\$15 per hour. Discussion was held. It was noted, a position description would need to be drafted and approved, a competitive search conducted followed by hiring and finally onboarding. Concerns were expressed this would take a minimum of several weeks to complete, at which point the teachers who assist the service during the school year would again be available to provide coverage and share in the weekday workload. Quinn stated the Director and she have been working with Caledonia Ambulance Director, Mike Tornstrom, to meet short term needs and a desire to further explore Frauenkron's suggestion to prepare for and meet future staffing needs. Frauenkron was able to share the Chatfield Ambulance would be offering an EMT class beginning in September on Monday and Thursday evenings and some Saturdays with completion prior to Christmas for anyone interested.

Temporary Liquor License: Motion by Krage, seconded by Baumann to approve, authorize signature, and submission of the application and permit for a 1 day to 4 day temporary on-sale liquor license for American Legion 423 for events to be held June 24, July 15, August 12, and August 19 at the Houston Hoedown Fest Grounds. Motion carried unanimously.

Minutes and Bills: Motion by Mathers, seconded by Baumann to approve the minutes of the May 8, 2023, regular meeting, and bills as presented. Motion carried unanimously.

Items to be Placed on File: Motion by Krage, seconded by Mathers to place on file the following items. Motion carried unanimously.

Library Minutes, Updates, Circulation Statistics
SMIF Correspondence
MDH Quarterly Water Reports

Department Head Updates:

Police: Chief Hurley was pleased to report the new squad arrived Monday. He is working with the vendor to make arrangements for outfitting before the unit is placed in service. He shared his belief the new squad would be in service in time for Houston Hoedown 2023.

Public Works: Ed Jacobs shared MPCA recently performed a final inspection of the wastewater plant build. They did identify a couple of items which require addressing. The plant is operating well. He also reported the water treatment plant was struck in a hit and run incident and will require exterior repair to the brick and may require maintenance on a gas line. The resident lateral leak on Dawn Drive has been addressed, and preparations are being made for annual curb and street painting. The weeds at the ballfields have been addressed and with dry conditions, staff are able to keep up with the mowing needs. It was noted that two staff are out on planned vacation/leave.

Clerk/Administrator: See update which is on file. Quinn shared several weed notices were sent in advance of the Memorial Day holiday, budget discussions for 2024 will begin soon, in response to the dry conditions staff at the Nature Center have requested delaying the planting of shade trees and to carry forward the budgeted from the 2023 to 2024 budget. HNC Staff reported it was challenging to get the pump functioning this season however, they feel it is operational. The sluice logs have been damaged and are often moved from their designated location.

Tree Board: Recently a quorum of tree board members met. They have inquired whether there is a plan in place to replace trees in the city park which have been lost over the past few years.

Mathers questioned whether consideration should be given to expanding the camera system considering the hit and run at the WTP and mischief in City Park. Chief Hurley said he is presently looking into this.

Air BNB: Lisa Graf stated she is excited to be able to offer a home she owns in the city as an Air BNB. She has received much support and encouragement and met with City and County staff to ensure she complies with all applicable statutes, laws and/or local ordinances. She is also having a boundary survey completed to ensure knowledge of her boundary. She simply wished to confirm with the council that she has met all the city's requirements. She stated she would be double checking with the Minnesota Department of Health again to ensure absolute compliance prior to offering the Air BNB for lodging.

Adjourn: Motion by Krage, seconded by Westby to adjourn the meeting at 7:13 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Monday, July 10, 2023.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. July 10, 2023, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Emily Krage, Cody Mathers, and Steve Westby. Staff present: Michelle Quinn. A listing of public members present is on file.

WWTP: Matt Mohs reported there has been no significant work completed on the WWTP recently. There is no payment request at this time as the balance of payment will be made upon completion.

CIPP: Matt Mohs reported quotes were solicited from 7 known contractors. Three quotes were received. The Engineer's Estimate was \$129,390, and quotes ranged between \$104,744.53 and \$148,071.90. Currently there is no high-level scheduling timeline for the project. On the recommendation of Engineer Mohs, motion by Krage, seconded by Westby to accept the low quote of Hydro-Lean, LLC in the amount of \$104,744.53. Motion carried unanimously.

Public Comment: Marlene Schultz expressed concern regarding correspondence from the DNR dated April which was received by city hall June 28, 2023. Mayor Wallace stated he received an emailed copy from Ann Pierce, MN DNR upon request.

Jeannie Tippery questioned whether they were on the agenda. It was noted they are on the agenda under facilities. She shared information related to a quote Hometown Pride solicited from Tim Buckland to power wash, grind floors to ensure a good bond, prime, paint, and epoxy the City Park restrooms. They requested permission to move forward with the project, indicating they believe the group will be successful in securing the funds necessary to cover the entire cost. In addition, they provided information related to vandalism resistant soap dispensers and a recommendation from Paul Skifton, who installs security systems as a profession, to mount trail cameras to discourage vandalism.

Holly Westby echoed the information presented by Jeannie Tippery and reiterated the group's confidence in securing funding for the project. The group would direct donors to make checks payable to the City. The City would use the funds received to cover the expense of the paint/epoxy project.

Steve Westby shared specifications related to the commercial grade product that is proposed to be used for this project.

Randy Thesing, as maintenance director, spoke to discourage this project. Currently, the concrete can be cleaned and residual staining wears or fades away. He questioned how potential product breakdown would impact maintenance. He provided an example of how maintenance staff have found evidence of fires on the floors and questioned how the epoxy would hold up under such conditions. Discussion continues related to locking of facilities, and consideration of security camera installation.

A member of the gallery requested the fencing outside the park restrooms be freshened up like the picnic tables were.

Employee Appreciation: At this time, the following staff were recognized for their years of dedicated service to the City of Houston and its residents;

Randy Thesing - 20 years of service as of June 11, 2022

Edward Jacobs - 15 years of service as of October 9, 2022

Brett Hurley - 10 years of service as of January 14, 2023

Bethany Peterson-Lee - 5 years of service as of September 1, 2019

Suzanne Peterson 5 years of service as of October 10, 2022

After the Fact Variance Request for 711 East Elm Street and Variance Request for 301/305 Stoddard Street: Quinn provided a brief overview of the variance requests both of which were submitted by Nick Holty. On the recommendation of the Planning Board, motion by Baumann, seconded by Mathers to approve the variance requests of Nick Holty and adopt the following resolutions. Motion carried unanimously.

RESOLUTION NO. 2023-12
ADOPTING FINDINGS OF FACT AND REASONS FOR APPROVAL
FOR VARIANCE APPLICATION OF NICK HOLTY 711 EAST ELM STREET

FACTS

14. Nick Holty is the owner of a parcel of land located at 711 East Elm Street, Houston, Minnesota; and,
15. The subject property is legally described as found in variance application; and,
16. Owner has applied to the City for a variance from the 10,000 square foot lot minimum to split a lot along the twin home common wall to create two lots being 8812.50 square feet each having a single-family residential structure; and,
17. The proposal would vary from City Code § 151.21 (E) (1), failing to meet the lot area of 10,000 square feet
18. Following a public hearing held on July 3, 2023, the Houston Planning Commission recommended approval of the variance.
19. On July 10, 2023, the City Council of the City of Houston reviewed the requested variance.

APPLICABLE LAW

20. Minnesota Statutes Section 462.357, sub. 6 provides:
 - a. Variances shall only be permitted when they are in harmony with the general purposes and intent of the city code and when the variances are consistent with the comprehensive plan.
 - b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning code. "Practical Difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning code; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality.

Note: Economic considerations alone do not constitute practical difficulties. The board or governing body may impose conditions in the granting of variances. A condition must be to and must bear a rough proportionality to the impact created by the variance.

21. City Code allows variances if the applicant meets the criteria as stated in section §151.57.

CONCLUSIONS OF LAW

1. The requested variance is in harmony with the purposes and intent of the city code because the new minimum lot size, according to the code, is larger than approximately 200 of the existing lots within the city
2. The requested variance is consistent with the comprehensive plan because the comprehensive plan's goal includes increasing housing development.
3. The property owner does propose to use the property in a reasonable manner because it allows for a single family to purchase a single-family housing unit with clean title.
4. There are unique circumstances to the property not created by the landowner since the property because twin homes, by construction, are unique as they don't have side yard setbacks because they share a common wall. This lot split is being memorialized after construction to safeguard the city from creating problematic lots.
5. The variance will maintain the essential character of the locality because there are multiple twin homes located in Prairie Meadows on similar sized lots which are of a common size across the city.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Houston, Minnesota, that the application to issue a variance to allow the split the parcel into two smaller parcels with conditions as recommended by the Planning Commission, so as to deviate from City Code §151.21 (E) (1), is hereby approved; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Houston, Minnesota that the parcel split is approved and may be submitted by the property owner to the Houston County Auditor/Treasurer Office.

RESOLUTION NO. 2023-13
ADOPTING FINDINGS OF FACT AND REASONS FOR APPROVAL
FOR VARIANCE APPLICATION OF NICK HOLTY 301/305 STODDARD STREET

FACTS

1. Nick Holty is the owner of a parcel of land located at 301/305 Stoddard Street, Houston, Minnesota; and,
2. The subject property is legally described as found in variance application; and,
3. Owner has applied to the City for a variance from the 10,000 square foot lot minimum to split a lot along the twin home common wall to create two lots being 8,550 square feet each having a single-family residential structure; and,
4. The proposal would vary from City Code § 151.21 (E) (1), failing to meet the lot area of 10,000 square feet
5. Following a public hearing held on July 3, 2023, the Houston Planning Commission recommended approval of the variance.
6. On July 10, 2023, the City Council of the City of Houston reviewed the requested variance.

APPLICABLE LAW

7. Minnesota Statutes Section 462.357, sub. 6 provides:
 - a. Variances shall only be permitted when they are in harmony with the general purposes and intent of the city code and when the variances are consistent with the comprehensive plan.
 - b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning code. "Practical Difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning code; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality.

Note: Economic considerations alone do not constitute practical difficulties. The board or governing body may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

8. City Code allows variances if the applicant meets the criteria as stated in section §151.57.

CONCLUSIONS OF LAW

9. The requested variance is in harmony with the purposes and intent of the city code because the new minimum lot size, according to the code, is larger than approximately 200 of the existing lots within the city
10. The requested variance is consistent with the comprehensive plan because the comprehensive plan's goal includes increasing housing development.
11. The property owner does propose to use the property in a reasonable manner because it allows for a single family to purchase a single-family housing unit with clean title.
12. There are unique circumstances to the property not created by the landowner since the property because twin homes, by construction, are unique as they don't have side yard setbacks because they share a common wall. This lot split is being memorialized after construction to safeguard the city from creating problematic lots.
13. The variance will maintain the essential character of the locality because there are multiple twin homes located in Prairie Meadows on similar sized lots which are of a common size across the city.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Houston, Minnesota, that the application to issue a variance to allow the split the parcel into two smaller parcels with conditions as recommended by the Planning Commission, so as to deviate from City Code §151.21 (E) (1), is hereby approved; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Houston, Minnesota that the parcel split is approved and may be submitted by the property owner to the Houston County Auditor/Treasurer Office.

Application to Conduct Excluded Bingo: Motion by Krage, seconded by Baumann to approve the application to conduct excluded bingo presented by the Cross of Christ Lutheran Church for activities to be conducted at the City Park during Hoedown. Motion carried unanimously.

Fireworks Permit: DLC, Inc. first presented their plan and request to provide a fireworks display in conjunction with the Hoedown Festival to the council in April. They planned to return in May, however, it was discovered that an Interim covid-19 Special Use/Event Permit was required of the MN DNR. DLC, Inc. has secured the necessary permit from the MN DNR and requested approval of their Application/Permit /Display of Fireworks. Motion by Krage, seconded by Mathers to approve the Application/Permit for Display of Fireworks on July 28th. Motion carried unanimously.

Personnel Items:

Library Assistant Position Description: Motion by Baumann, seconded by Westby to accept the position description for Library Assistant as presented. Motion carried unanimously.

Summer Recreation 2024 Season: Motion by Mathers, seconded by Baumann to authorize a competitive search for Summer Recreation Director for the 2024 season at the same rate as 2023. Motion carried unanimously.

City of Hokah Letter of Interest – Policing: Chief Hurley shared the Hokah Chief of Police approached him to discuss whether the City of Houston and its Police Department would consider providing a proposal to provide police protection for Hokah. Chief Hurley is looking for authorization to continue discussions to define needs and a basis for a potential proposal. Mathers commented the Police Committee held a meeting to discuss this. For this to be viable, the City of Houston must break even or come out ahead with respect to coverage and finances. Also, Houston PD would provide services to the City of Hokah, it would not be a squad representing a combined Houston/Hokah PD. This is an opportunity worthy of additional conversation to see whether it would be a good fit for both communities. Westby expressed support for further consideration as did Krage. Motion by Westby, seconded by Krage to authorize staff to engage in discussion regarding possible collaboration between the City of Houston and City of Hokah to meet Hokah policing needs. Motion carried unanimously.

Mission 66: Mary Dahle, Leah Wittkop, and Peter Orr were present to represent the Mission 66 Playground and their request for 2-4 inches of new mulch be purchased and spread throughout the playground. They shared how they were required to turn over the playground to the city following completion of the project along with the remaining funds which totaled approximately \$9,000 with an additional \$1,000 having been submitted later. They stated the donor board still has not been completed or installed. A quote for mulch has been solicited by them in the amount of \$2,650 for 100 cubic yards which would provide 4 inches of mulch for the playground. They stated there are areas where the lining is exposed. The mulch must be specially engineered to meet fall protection and safety requirements. The group has solicited the assistance of the high school football team to move and spread the mulch. Peter Orr commented how there are marks within the park that indicate the level to which the mulch should be which are visible indicating a need for additional mulch. Westby stated the mulch is supposed to mat to allow for wheelchair access and navigation. The council requested staff work to calculate the amount of mulch needed to increase the depth by 4 inches throughout the playground along with a report including the balance of funding in the account. Further discussion was tabled until the August meeting.

City Park Restrooms: Discussion was held during the public comment period regarding a proposal to paint/epoxy the floor and walls of the city park restrooms. The recommendation was made to sever vandalism from aesthetics. Mathers stated the vandalism may be addressed. The desire to consider employee concerns was shared. Westby indicated while the epoxy from Menards/Home Depot is good, the product being proposed for this project is commercial grade. Motion by Westby, seconded by Baumann to accept the donations, authorize the paint, and epoxy project to improve the city park restrooms contingent upon donations being received in an amount adequate to cover the quoted cost. Motion carried with Krage voting in the negative.

Light Pole in Trailhead Park: Westby reported on a proposed donation to install a single light pole, with electricity being supplied by Farmers Win Coop in Trailhead Park where tractor pullers are staged during Houston Hoedown. In the past, light has been supplied by a portable light pant. The work and supplies would be donated. There would be no cost to the City. Westby expressed support for the project. Thesing questioned if the light would be on all the time. It was noted the pole would be outfitted with a lock box and that both Houston Hoedown and the City would have keys to access it for use during events. Motion by Westby, seconded by Mathers to accept the donation of the light pole and installation. Motion carried unanimously.

Houston Hoedown Street Closures: Houston Hoedown is requesting street closures in conjunction with Hoedown festivities. They have requested closure of West Maple Street from mid- 100 block to the west end of the 200 block, Lincoln Street 100 and 200 blocks, and Jackson Street 200 block. Maple and Lincoln Streets would be closed for the duration of the festival while the 200 block of Jackson would be closed during Sunday's festivities only (car/tractor show). Marlene Schultz stated Larry Graf is chairing the car and tractor show and Bruce Langseth is chair of the craft market, and they should be reaching out and providing details. Motion by Krage, seconded by Mathers to authorize the street closures as requested and notify EMS. Motion carried unanimously.

Tailhead Park Wetland Delineation/International Owl Center: Motion by Mathers, seconded by Westby to allow the International Owl Center to have wetland delineations performed on city owned property located in Trailhead Park. Motion carried unanimously.

Minutes and Bills: Motion by Krage, seconded by Baumann to approve the minutes of the June 12, 2023, regular meeting, and bills as presented. Motion carried unanimously.

Items to be Placed on File: Motion by Mathers, seconded by Krage to place on file the following items. Motion carried unanimously.

Library Minutes, Vision, Mission, Value and Goal Statement, July Library Update
Correspondence from MN DNR in response to Resolution 2023-07
Response from legal counsel to query for assistance having deed restrictions removed

Ambulance Agreement and Commitment to Serve & Hardship Waiver: Motion by Mathers, seconded by Krage to accept and approve of the Agreement and Commitment to Serve signed by Elise Walters and approve a partial hardship waiver in the amount of \$1,000 for her participation in the Winona Community Ambulance EMT Course beginning August 29, 2023. Motion carried unanimously.

Miscellaneous Item: Discussion was held regarding the process for possible removal of restrictions from deeds for property associated with the proposed OHV trail project. Some information is available from the attorney and is on file. The comment was made the City and MN DNR are at an impasse. The deed restrictions are locking the city into specific items. If the city has no intent of having the trails, the next step would be to pursue having the deed restrictions removed. Mathers recognized that pursuing removal of the restrictions will come at a price to the City.

Karla Bloem questioned whether it was possible to have law or legislators remove deed restrictions and whether the restrictions could have been placed on the deeds in error. She stated the FHWA should have a legal department that may be able to assist with this. However, it was also mentioned that the FHWA indicated the City would need to work through the MN DNR.

Marlene Schultz who questioned who Ms. Bloem was referencing when she stated "we." Ms. Bloem responded she was referencing the exit committee and the City. Mrs. Schultz asked what the council was intending to do.

Mathers shared the MN DNR stated additional environmental review would also result in additional expense which would be a project cost born by the city. Quinn shared in the event the environmental review was to be completed with a resulting recommendation of no build, which may result in additional concessions. Ms. Bloem expressed disagreement and stated it would be a decision the city would be required to make.

Mayor Wallace stated removing the deed restrictions would be through legal means. Mathers expressed disinterest to incur legal bills at taxpayer expense. It was agreed additional legal advice was necessary and discussion would continue during the next regular meeting. It would be beneficial if it could be discovered why the restrictions were placed on the deeds originally. Mathers reiterated he does not want to incur additional legal debt at this time. Krage suggested individuals are free to query their own attorney's if they so choose. Mathers shared there is no rush.

The exit committee members received an email related to the removal of deed restrictions from the FHWA. The correspondence was shared with the committee membership. It was not provided to all council members.

Department Head Updates:

Fire: Fire Chief Skifton was present with nothing to report.

Police: Chief Hurley was pleased to share the squad was picked up last Friday (7/7) for outfitting and is due back this Thursday (7/13). The department is looking towards a busy few weeks with Houston Hoedown followed by National Night out Against Crime on Tuesday, August 1st. It was noted Councilperson Mathers requested the police committee convene a meeting to further discuss the opportunity with the City of Hokah and Hokah Police Department.

Miscellaneous Item:

Public Works: Thesing, storm catches SE corner down on Chase and Spruce plus a couple of others. Trying to obtain numbers. Have asphalt scabbing numbers from two vendors which he will discuss with Steve as street committee, we are running under 45,000 which is lowest ever in Randy's tenure. Meters

to be read on the 21st instead of 20th. Will do normal fencing, horseshoe pits, will place planks, no driving over sidewalks. Will provide planks for them to use and move them where they want. Limited restroom access at request of hoedown committee. Compost has been moved across the street from the current one and moved it to unimproved platted city street.

Clerk/Administrator: See update which is on file.

Adjourn: Motion by Krage, seconded by Westby to adjourn the meeting at 7:14 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Monday, August 14, 2023.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. August 14, 2023, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Emily Krage, Cody Mathers, and Steve Westby. Staff present: Brett Hurley, Randy Thesing, and Michelle Quinn. A listing of public members present is on file.

Public Comment: Marlene Schultz questioned whether the council would allow public comment during discussion of the OHV project (Item G. on the evening's agenda). Mayor Wallace stated the council would receive a report from the exit committee. Marlen Schultz stated she would not grant her consent which would be necessary to the removal deed restrictions appearing on deeds for property she sold or granted to the city.

Personnel Items:

Library Assistant: On the recommendation of the Library Board, motion by Mathers, seconded by Baumann to authorize the hire of Sarah Erdmann as Library Assistant at a rate of \$14.50 per hour. Motion carried unanimously.

Summer Recreation 2024 Season: It was agreed two individuals, being a combination from amongst Mayor Wallace and Councilpersons Krage or Mathers, would participate in the Summer Rec Director interviews.

Mission 66: Mary Dahle stated she has been in contact with her group. The football team has begun practicing for the fall season and is no longer available to provide labor to move and place mulch. It was agreed to wait until spring. Ms. Dahle expressed ongoing concern related to the exposed liner. Discussion was held regarding raking mulch to cover the exposed liner or perhaps trimming it. The original Mission 66 group wishes to price mats for under the swings since this area is always deficient of wood chips because the chips are constantly disrupted due to use. It was the consensus of the council to have wood chips quotes secured in spring 2024.

City Park Restrooms: This project is underway. The fundraising group is awaiting one final donation which has been pledged.

Light Pole in Trailhead Park: This project is awaiting the installation of a lock box only at which time a key will be provided to the city. The lights were used during recent Hoedown activities.

City Property and Casualty Insurance Renewal: Discussion was held regarding additional bond coverage, and trends impacting insurance premiums. Motion by Mathers, seconded by Baumann to accept the quote as presented and to request the bond coverage be increased to \$150,000 as recommended. Motion carried unanimously.

PFAS Cost Recovery Program: Motion by Mathers, seconded by Westby to approve the retainer agreement with Napoli Shkolnik and to authorize the necessary signature. Motion carried unanimously.

Disposal of Merry Go Round: Randy Thesing recommended disposing of the old city park merry go round on Darr Auctions. He stated Public Works could haul the piece to Rushford for said auction. Motion by Baumann, seconded by Westby to authorize disposal of the old city merry go round through Darr Auctions, Rushford, Minnesota. Motion carried unanimously.

Gambling Permits: Motion by Westby, seconded by Mathers to approve a gambling permit with no waiting period for DLC Inc. for an event to be hosted at the Houston Community Center on October 14, 2023. Motion carried unanimously.

OHV/Deed Restriction Removal: Mayor Wallace invited the exit committee to provide an update. Karla Bloem reported on a meeting held earlier today, Tuesday, August 14, 2023. The committee was informed by DNR legal counsel, Rob Cary, the deed restrictions will expire 20 years from when the land was purchased. The DNR has no desire to bankrupt the city. They also have no interest in owning the property. It was noted that FHWA motorized funds could be traded for non-motorized funds. The FHWA funds flow through the DNR and DNR Assistant Commissioner Bob Meier did not express favor for fund substitution. The DNR originally expressed a stance which indicated repayment of FHWA funding would not be required. The position expressed during this meeting contradicted that and it was presented that the FHWA funding would require repayment. FHWA Representative Wendell Myer stated it may be possible to secure a federal earmark for acquisition, despite the City already owning the land, which could be utilized to make repayment for previously awarded grant funds. To accomplish this the city would be required to work with Federal Legislators Klobuchar, Smith and Finstad. It was noted that the DNR will not utilize habitat preservation grant funding for it to be used to repay other types of grant funds which have been awarded for the OHV Trails project. Karla Bloem presented the opinion on how specific activities required of the grants and performed should not require payment stating the NOVAK Conference occurred. Senator Jeremy Miller requested a listing of those items which were grant funded and took place which may not warrant repayment.

Deed restrictions will expire in 2031 and 2034. There are various routes which could result in sooner resolution, however, allowing the restrictions to simply expire may be the most desirable path. The representatives from the DNR did not express any dislike for said option.

In closing, Karla Bloem stated the resolution authorized the exit committee to speak with federal legislators and expressed her opinion that doing so is a logical next step.

Councilperson Krage requested members of the exit committee to be mindful of language utilized and to be factual when engaged in discussion related to the situation indicating when language such as “we own” when referencing city owned property could be misconstrued.

Exit Committee Notes from the August 14, 2023 meeting are also on file.

Minutes and Bills: Motion by Mathers, seconded by Krage to approve the minutes of the July 10, 2023, regular meeting, and bills as presented. Motion carried unanimously.

Items to be Placed on File: Motion by Baumann, seconded by Westby to place on file the following items. Motion carried unanimously.

Library Minutes, August Library Update, Statistics, etc.
Matt Mohs Engineering Memorandum
Criminal Restitution Order 28-CR-23-259

Department Head Updates:

Police: Hoedown and National Night Out went well. The new squad is working out well.

Public Works: Randy Thesing expressed appreciation to the Hoedown Committee for closing the city park restrooms. He reiterated punch list items related to the WWTP which appear in Matt Mohs Engineering Memorandum. He stated that the area is in a drought and encouraged the limiting of outdoor water use in response.

Clerk/Administrator: See update which is on file.

Adjourn: Motion by Westby, seconded by Krage to adjourn the meeting at 6:42 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Monday, September 11, 2023.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. September 11, 2023, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Emily Krage, and Steve Westby. Staff present: Brett Hurley, Michelle Quinn, Josh Hongerholt, and Randy Thesing. A listing of public members present is on file.

Wastewater Treatment Plant: Matt Mohs provided an overview of completed items at the WWTP. He anticipates final payment to be available for action at the October meeting.

CIPP: The contractor is prepping submittals, and the schedule. Initially, it was believed they would be performing the work sooner however, things are moving forward with the project.

CSAH 13/Spruce Street: Project coordination continues between staff and the county. The county will be performing surface work in 2 blocks of Grant and 1 block of Spruce Streets. The city will be replacing a hydrant and lead service lines in this area. Lincoln Street west will include a full reconstruction much like the Lincoln Street project. A cooperative agreement will be required. The final cost splits will be determined once engineering has been completed, until that point, both entities will be working together in good faith. The schedule has remained unchanged with engineering and submittal and certification through PFA/WIF taking place in 2024 followed by construction in 2025. Mr. Mohs will plan a walkthrough of the project corridor. It is expected this project will be assessed similarly to Lincoln Street. The assessment process will include a series of public hearings to meet assessment requirements and to engage property owners directly impacted by the project. Consideration of extending the water lines west past Washington Street is being encouraged by staff. This would allow for city services to be extended/available to several residences currently being served by private wells.

LRIP – Westgate Drive: Matt Mohs reported the city submitted an LRIP grant application for improvements to Westgate Drive. Currently, the state has made \$102 million available for a new round of grants. Funding provides for drainage and surface improvements including paving. Engineering and city service enhancements (water and sanitary sewer) are not eligible for this funding. Applications open tomorrow and close December 8th. Mr. Mohs questioned whether the council was interested in updating and applying. He expects competition to be big, however, the Westgate Drive project is eligible. Mayor Wallace expressed the need to consider other projects which may be of greater benefit to the city. Mr. Mohs shared the original application took approximately 50 hours at \$80.00 per hour. Updating that application will not take so many hours and would be completed at the same hourly rate. There is a need to solicit a sponsorship letter from the county. Cities under 5,000 population require county sponsorship. There is also a need to solicit letters of support from local businesses which would benefit from the project. Discussion was held. It was agreed Mayor Wallace and Steve Westby along with staff would discuss project options in greater detail prior to the next regular council meeting.

Public Comment: Marlene Schultz read from a written statement a copy of which is on file.

Karla Bloem stated she rents a facility, owns five properties, and pays taxes. The Owl Center Board (not she alone) does not support the advancement of the OHV Trails Project. She is perceived as pushing the agenda. She clarified the Save Our Bluffs organized independently of her and they have partnered with Mrs. Bloem due to their common goal.

Preliminary Budget & Levy: The preliminary levy reflects an increase of approximately 3%. This allows the city to meet needs and attain goals laid out by the finance committee. Motion by Westby, seconded

by Baumann to adopt the preliminary budget, levy, and adopt the following resolution. Motion carried unanimously.

RESOLUTION 2023-14
ADOPTING PRELIMINARY 2024 BUDGET AND PRELIMINARY TAX LEVY,
COLLECTABLE IN 2024

Be It Resolved by the city council of the City of Houston, County of Houston, Minnesota, adopts the Preliminary 2024 Budget and that the following sums of money be levied for the current year, collectable in 2024, upon the taxable property in the City of Houston, for the following purposes:

General Fund	198,000
Library Fund	40,500
Ambulance Fund	10,000
Fire Fund	20,000
Park/Rec Fund	5,500
Nature Center Fund	51,000
Vehicle Fund	20,000
Infrastructure Fund	26,000
2016A Ellsworth Street Bond	73,900
2017A Street & Utility Improvement Bond	55,600
2020 MiEnergy Loan	30,000
2020B Lincoln Street Reconstruction Bond	33,100
2020C Community Center Renovation Bond	<u>18,700</u>
Total Levy	\$582,300

The city administrator is hereby instructed to transmit a certified copy of this resolution to the county auditor of Houston County, Minnesota.

Truth in Taxation Public Hearing: The city is required to schedule a Truth in Taxation (TNT) hearing. Motion by Krage, seconded by Westby to schedule the TNT hearing for Monday, December 11, 2023, beginning at 7:00 p.m. Motion carried unanimously.

Personnel Items:

Summer Rec Director: Following discussion, motion by Baumann, seconded by Krage to hire Dale Moga as Summer Rec Director for the 2024 season paying a stipend of \$4,000. Motion carried unanimously.

Flower Care: It was agreed to advertise flower care and talk with the gardening club ladies. Motion by Westby, seconded by Krage to authorize advertising for 2024 flower care. Motion carried unanimously.

Fire Department Appointment: Chief Skifton reported the department has a vacancy. A Fire Department hiring committee recently interviewed two applicants. The hiring committee has recommended Trent Edwards be added to the team. Mr. Edwards has broad availability from early afternoon until he leaves for work in WInona Monday through Friday. He resides in town. The other candidate works out of town, which would significantly impact availability Monday through Friday.

Motion by Westby, seconded by Baumann to authorize the hire of Trent Edwards as a probationary firefighter. Motion carried with Krage abstaining.

Gambling Permit: Motion by Krage, seconded by Baumann to approve a gambling permit with no waiting period for the Houston Volunteer Fireman's Relief Association for an event to be hosted at the Houston Community Center on February 17, 2024. Motion carried unanimously.

Website: Motion by Baumann, seconded by Westby to authorize partnering with Catalis for website services. Motion carried unanimously.

Street Closure: Street closures have been requested in conjunction with the Block Party. They have requested closure of the east/west alley in the 100 block of East Cedar Street and North Sherman Street from Cedar Street to the east west alley. Motion by Westby, seconded by Krage to authorize the street closures as requested and notify EMS. Motion carried unanimously.

Coalition of Greater Minnesota Cities: Benefits and services offered through membership with the Coalition of Greater Minnesota Cities mirror those provided by LMC and Minnesota Association of Small Cities which the city are already members of. Motion by Krage, seconded by Westby to decline membership in Coalition of Greater MN Cities. Motion carried unanimously.

Minutes and Bills: Motion by Krage, seconded by Westby to approve the minutes of the August 14, 2023, regular meeting, and bills as presented. Motion carried unanimously.

Items to be Placed on File: Motion by Krage, seconded by Westby to place on file the following items. Motion carried unanimously.

Library Updates and Information, and circulation statistics
Letter of Appreciation from Houston Hoedown
Probationary firefighter resignation
Correspondence from Marlene Schultz

Department Head Updates:

Public Works: Randy Thesing stated the sewer plant is finally complete. Water main flushing is scheduled to take place the week of Indigenous Peoples Day. This week sludge samples are being collected for analysis in preparation for fall hauling. Josh Hongerholt is scheduled for wastewater treatment certification testing next month and will be enrolled in testing for drinking water certification soon. The city is responsible for removing sediment which has filled in a designated waterway located in Trailhead Park. Removal of sedimentation is required to ensure proper function of our flood control structure. Due to the dry year, conditions are favorable to be able to remove the sediment. The maintenance department will be removing ten to twelve inches of sedimentation to restore the waterway to its previous holding volumes. Councilperson Westby commended the department for the excellent job on the catch basin. It was noted R.G. Steinfeldt provided extremely competitive pricing for the repairs due to assistance received from the Public Works Department.

Fire: Fire Chief Steve Skifton shared the Fireman's Relief Association has been saving funds to be able to purchase a second side by side. They are running out of space in the station and will also be purchasing an enclosed trailer in which to store the additional unit. One side by side will be utilized for medical evacuation and allow for the patient to be located lower on the unit (currently the stretcher goes atop

the water tank and firefighting apparatus and there is no place for Emergency Medical personnel to ride and provide patient care during evacuation) with the additional machine one will be outfitted for firefighting and the other will be outfitted for medical evacuation and include a bench for responders providing patient care. Rod's Ride on Powersports extended favorable pricing on a Kawasaki side by side with some specific features that will meet the department's needs well. There will be no levy or Rural Fire Association funds requested for the purchase.

Police: Chief Hurley shared that the department has made sure to conduct extra patrols around the schools now that they are back in session. The squad has been lettered and staff have been receiving many compliments on the appearance. Councilperson Baumann expressed appreciation for the additional school patrols.

Clerk/Administrator: See update which is on file.

Adjourn: Motion by Westby, seconded by Baumann to adjourn the meeting at 7:05 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Tuesday, October 11, 2023.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. October 10, 2023, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Cody Mathers, and Steve Westby. Staff present: Brett Hurley, Michelle Quinn, and Randy Thesing. A listing of public members present is on file.

Public Comment: Jeannie Tippery provided an update on the city park restroom project. She shared pictures which are on file. She expressed her hope that consideration would be given to installing surveillance, posting signs and/or locking the facilities every night once they are opened for the 2024 season. She respectfully requested approval from the council to paint/stain the fence outside the park restrooms, posts, and edge strip around the shelter. She provided an estimate for paint/stain and materials, including brushes from Cox True Value for this work and questioned whether the city would fund the paint/stain and materials at a cost of \$113.94 and she would coordinate volunteers to perform the painting/staining. Public Works Superintendent Thesing expressed support and questioned whether the paint/stain that was utilized for the picnic tables was the best choice for the described work as it has a strong red hue. He suggested a grey or brown hue may be the most pleasing. Mayor Wallace expressed appreciation for the hard work of the group. Motion by Westby, seconded by Mathers to authorize Public Works to work with Jeannie Tippery and select a color of paint/stain, to authorize the work and purchase of paint/stain and materials from Cox True Value. Motion carried unanimously.

Wastewater Treatment Plant Pay Application #23: John Graupman cancelled his appointment.

Wastewater Treatment Change Order #3: John Graupman cancelled his appointment.

CIPP: John Graupman cancelled his appointment.

CSAH 13/Spruce Street: John Graupman cancelled his appointment.

LRIP: Discussion was held regarding whether to pursue reapplication of the Westgate Drive proposal. Mayor Wallace expressed concern that farm to market truck traffic could have a challenge with the climb to the north end stop sign. He questioned whether elevations of the roadway would be changed to reduce the incline leading to the north end stop sign and expressed concern that stopping on such an incline is challenging and could lead to trucks rolling through and creating a safety hazard. He expressed support to designate resources for the development of Stoddard Street since that area offers greater opportunity for development of both residential and commercial lots. Discussion was held. It was agreed that staff would work with Matt Mohs to gather specific cost information including grant updated expense, local share, along with local share financing and assessment options/requirements. Once the details are known and, in the event, there remains adequate time to update the application, secure the necessary support and submit, to schedule a special meeting for action.

Personnel Items:

Step Increase Police Officer: The City of Houston used to employ a part-time officer (last part-time employee separated from city employment 6/10/2021). At the time, Chief Hurley did not request authorization to advertise for the position. The funding for the position has been maintained in the budget and included in the proposed 2024 budget which was adopted on September 11. Since that time, the Post Board has updated requirements for agencies which employ part-time police officers resulting in increased expense to hire. Upon evaluation, Chief Hurley does not anticipate a request to fill that position and requested the personnel committee consider re-allocating the budgeted funds. The

police/personnel committee met to consider wage data from similarly sized communities across Minnesota. Discussion was held regarding current market rates, affordability, and the ability to attract and retain quality staff. Motion by Baumann, seconded by Westby to authorize re-allocation of 2023 and preliminary 2024 budgeted funds from 101-42110-103 part-time employees to 101-42110-101 full-time employees regular and to utilize those funds to provide an equivalent per hour step increase for the position of police officer upon completion of 6-month probationary period and upon favorable performance review. Motion carried unanimously.

Earned Safe & Sick Time: Discussion was held regarding recent legislation which requires employers to provide earned safe & sick time to any employee who works for an employer more than 80 hours. This would apply to part-time (not otherwise qualifying for benefits), temporary, seasonal, and potentially other classes of staff. It is anticipated legislators may act to further define certain aspects of the law. The law is effective January 1, 2024. Following discussion, motion by Mathers, seconded by Westby to instruct staff to draft changes to the personnel policy which will comply with the legislation and to utilize the earned sick and safe model of 1 hour of ESST for every 30 hours worked and to cap accrual at 80 hours. Motion carried unanimously.

Ambulance Agreement and Commitment to Serve & Hardship Waiver: Motion by Mathers, seconded by Baumann to accept and approve the Agreement and Commitment to Serve of Dylan Schultz and Josh Norlien and approve a partial hardship waiver in the amount of \$1,100 for each to participate in the Riverland Community College EMT Course being hosted in Spring Grove, Minnesota and beginning January 11, 2024. Motion carried unanimously.

Disposal of Library Shelving: Motion by Mathers, seconded by Baumann to declare the library shelving as excess and authorize its disposal through sealed bid or other acceptable means. Motion carried unanimously.

Solicit Bids for Newspaper Publishing: Motion by Baumann, seconded by Westby to authorize the solicitation of bids for publishing for 2024. Motion carried unanimously.

2024 Meeting Calendar: Motion by Mathers, seconded by Westby to adopt the 2024 meeting calendar as presented. Motion carried unanimously.

ABC Awards Banquet Participation: It was noted Councilperson Krage volunteered to attend the awards banquet to represent the city. It was the consensus of the council that Krage could represent the city and if her schedule changed to reach out to ensure another member of the council could attend in her place.

Minutes and Bills: Motion by Mathers, seconded by Baumann to approve the minutes of the September 11, 2023, regular meeting, and bills as presented. Motion carried unanimously.

Items to be Placed on File: Motion by Baumann, seconded by Westby to place on file the following items. Motion carried unanimously.

Library Updates and Information, and circulation statistics
Letter of Appreciation from Preston Peterson

Department Head Updates:

Police: Chief Hurley reported staff participated in fall refresher training yesterday.

Public Works: Randy Thesing reported staff is currently working to flush mains. If council receives inquiries or residents did not see the published notice, fall hydrant flushing is scheduled the week following the Cross of Christ Fall Supper. He shared that Leonard Olson's last week is this week. He encouraged the council to thank Leonard for his service if they see him out. Mr. Olson has indicated he is not planning to return next season to help with mowing.

Clerk/Administrator: See update which is on file.

Adjourn: Motion by Westby, seconded by Mathers to adjourn the meeting at 6:57 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Monday, November 13, 2023.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. November 13, 2023, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Cody Mathers, and Steve Westby. Staff present: Michelle Quinn, Josh Hongerholt, and Randy Thesing. A listing of public members present is on file.

Public Comment: There was no comment from the public.

CIPP: Matt Mohs reported on the status of the CIPP project. The contractor has been lagging; however, they are expected to begin the project towards the end of the month. The contractor will clean and televise the line. This work is expected to take approximately one week. The contractor will return following material preparation to complete the project. Updates to the project schedule will be provided as they become available.

CSAH 13/Spruce Street: Matt Mohs expressed how pleased he was that the staff walk-thru of the project corridor took place. It allowed the team to better understand which entity is responsible for the various components of the project, where components would be installed and/or replaced, and to gather, review, add, and amend field data. It also allowed the group to further grow their collaboration. County staff are working to prepare the street design. Bolton & Menk will add storm sewer, utilities, and other city responsibilities. At this time next year, the city will be submitting the PFA application. The project is gaining traction. Bolton & Menk staff will prepare a report which will identify the scope of the project, including estimated costs, prepare preliminary assessment data, host a series of public information meetings, and required hearings. Together, Bolton & Menk along with city staff will work together to prepare a proposal to meet funding requirements. Mr. Mohs shared how the city created a plan to reduce I & I to qualify for PFA funding for both the WTP and WWTP projects. Lincoln Street and the upcoming Spruce Street/CSAH 13 were included as projects to reduce I & I. In addition, the Cedar Street CIPP project will increase the city's efforts to reduce I & I. The city is making progress towards the goals of I & I reduction with the completion of each of the listed projects. He explained the PFA is a loan agency, which partners with the MN Dept of Health for clean water lending and grant, and MPCA for sanitary sewer lending and grant.

Wastewater Treatment Plant Change Order: The change order is being requested to correct an omission of a previously approved expense. Motion by Mathers, seconded by Baumann to approve Change Order No. 3 from Wapasha Construction Co. in the amount of \$19,583.16 for administrative correction of an accounting error from previous version and modification of final completion date. Motion carried unanimously.

Wastewater Treatment Plant: John Graupman, water/wastewater specialist with Bolton & Menk explained grant eligibility and funding process which has been utilized for both the Water Treatment Plant and Wastewater Treatment Plant. He stated the WWTP was bid in 2021 and is now complete. The warranty period for that project will begin with the approval of the final pay application. Motion by Baumann, seconded by Westby to approve pay estimate #23 in the amount of \$66,209.23 for Wapasha Construction Co. Motion carried unanimously. Mr. Graupman was pleased to share the project is being closed out shy of the \$4.2 million budget.

Appraisal/Trailhead Park Greenspace: Motion by Westby, seconded by Baumann to authorize the commission of an appraisal to be used to negotiate a sale price of the property the International Owl Center wishes to acquire. Motion carried unanimously.

Public Safety Aid: Motion by Mathers, seconded by Westby to place the allocation of Public Safety Aid in the general fund to be utilized for qualifying expenses to meet EMS needs. Motion carried unanimously.

PFAS Cost Recovery Program: Mathers expressed concern with scope creep. Initially there was no cost to participate, however, this is the first cost with concern there could be additional costs. There is no guarantee of a return/award that will exceed expenses. It was the consensus of the council to verify testing expense, and process to withdraw from the retention agreement. Additional information will be brought to the council for further consideration.

Frederick Beseler questioned nitrates.

2024 COLA Increase: Mathers clarified that the proposed increase was included in the preliminary budget and levy which were adopted in September. Motion by Mathers, seconded by Baumann to approve a 4% COLA increase for qualifying staff in 2024. Motion carried unanimously.

Employee Health Benefits: It was noted a 10% increase for all insurance coverages (property/casualty, liability, and health) were included in the preliminary budget. The actual increase of health coverage came in lower at 9%. Motion by Baumann, seconded by Westby to approve renewal of the current health benefits plans. Motion carried unanimously.

Personnel Policy Updates including ESST: Personnel Policy revisions were presented. These proposed updates bring the personnel policy into compliance with recent legislation. The revisions add language for Earned Safe and Sick Time, and clean-up miscellaneous items as appropriate. Motion by Mathers, seconded by Westby to approve the Personnel Policy updates as presented. Motion carried unanimously.

Ambulance Hardship Waiver: Motion by Westby, seconded by Mathers to approve a partial hardship waiver, in the amount of \$1,100, for Charles Ness to participate in the Riverland Community College EMT Course being hosted in Spring Grove, Minnesota and beginning January 11, 2024. Motion carried unanimously.

Agreement and Commitment to Serve: Motion by Mathers, seconded by Baumann to accept and approve the Agreement and Commitment to Serve of Charles Ness and Valerie Ness unanimously carried. Motion carried unanimously.

LBAE: Motion by Baumann, seconded by Mathers to host a Local Board of Appeal and Equalization meeting or move to an open book format. Motion carried unanimously. A member of the gallery stated that Hokah City also opted for the open book format.

Liquor Licenses: Motion by Baumann, seconded by Westby to approve the Liquor License for JT's Corner Bar & Grill LLC as all required items have been submitted and for American Legion 423 contingent upon all required data having been received. Motion carried unanimously. The license term is January 1, 2024, expiring December 31, 2024.

Minutes and Bills: Motion by Mathers, seconded by Baumann to approve the minutes of the October 10, 2023, regular meeting, and bills as presented. Motion carried unanimously.

Items to be Placed on File: Motion by Baumann, seconded by Westby to place on file the following items. Motion carried unanimously.

Library Updates and Information, and circulation statistics
MDH Water Testing Results

Department Head Updates:

Public Works: Randy Thesing reported the sludge hauler has suffered mechanical issues and is now expected to come later this week. They were originally scheduled for a Tuesday arrival. Christmas wreaths are scheduled to be hung on Wednesday of this week. Ed Jacobs will be working solo the week of Thanksgiving due to scheduled PTO use by other members of the department. It was noted O’Laughlin responded quickly to a recent water main break. While the use of their vac truck was expensive, Thesing noted the benefits of its use.

Clerk/Administrator: Michelle Quinn shared the city was awarded an Employer of the Year award from ABC/Woodland. Councilperson Krage attended the banquet and accepted the award on behalf of the city. She also shared a note of appreciation from Winston Gravel Cup organizer, Paul Reardon. She

Adjourn: Motion by Baumann, seconded by Westby to adjourn the meeting at 7:05 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Monday, December 11, 2023.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. December 11, 2023, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Emily Krage, Cody Mathers, and Steve Westby. Staff present: Josh Hongerholt, Brett Hurley, Michelle Quinn, Steve Skifton, and Randy Thesing. A listing of public members present is on file.

CIPP: Matt Mohs shared all submissions have been made and approved. The contractor still needs to share the schedule of the project.

CSAH 13/Spruce Street: Matt Mohs indicated he will come to council, later this winter, for approval of the engineering work and related costs which will be part of the CSAH 13/Spruce Street project.

Water Treatment Media: Matt Mohs recently reported the water treatment plant filter was inspected. There has been media loss due to a leaking weir plate. Media has been ordered; a new seal will be required to repair the leaking weir plate. The replacement and repair process is expected to take a day of labor plus time for media charging, disinfection, and sample collection. Wapasha has indicated they will work with staff and has verbally offered to be part of the solution even though the plant is out of warranty. More than average media loss in the future will be prevented with the installation of a proper seal, and annual monitoring. The entire media replacement, repairs and post work charging, disinfection and sample collection are not expected to exceed 5 days. The filter will be offline during that process. Staff stated the public will not notice any difference as the water will be treated just not filtered during that period.

Public Comment: There was no public comment.

Assistant Chief Reappointment: Fire Chief Skifton reported current Assistant Fire Chiefs are interested in maintaining their positions and no other applications for the positions were received. He requested the reappointment of both Brandon Olson and Ken Witt. Motion by Mathers, seconded by Krage to approve the reappointment of Brandon Olson and Ken Witt to 2-year terms as Assistant Fire Chief with terms commencing January 1, 2024, and expiring December 31, 2025. Motion carried unanimously.

Police Equipment Proposal: Chief Hurley presented a proposal to purchase a new squad camera system to replace the 2014 system which recently sustained damage, two tasers for department staff due to current equipment having discontinued support, and security cameras at the Water Treatment Plant, City Park, and Houston Nature Center. These items qualify for use of Public Safety Aid funding and there are budgeted funds to cover the facility security cameras if grant funds are not used. He said these items will serve the public well. See additional details in the written memo which is on file. Discussion was held. Councilperson Mathers questioned what other eligible items the council would forego if the requested items were prioritized, and grant funds used. Clerk/Administrator Quinn provided information from a previous meeting which listed all departmental needs for his review. Grant funds would be available towards the purchase of a water/medical rescue skid for the FD side by side which would benefit both the FD and Ambulance departments. Since tracking of grant proceed use is strongly encouraged, it would benefit the front office for those monies to be utilized so that documentation may be prepared, and future tracking and monitoring is no longer required once grant funds have been exhausted. Discussion was held regarding the camera placement at the WTP. It seemed to be the consensus that the proposed views would capture any activity and activity would likely pass through those areas before passing through the back area which falls outside of camera view. Motion by Westby, seconded by Mathers to approve the purchase of proposed items being, Fleet Camera System, Tasers and Security Cameras utilizing Public Safety Aid grant funding. Motion carried unanimously.

Mike Bubany: Mr. Bubany met with the council and shared various financial scenarios related to the completion of street projects which are on the city's short- and long-term infrastructure repair plan. Graphs showed how scenarios would impact tax rates, water and sewer fund health and rates, and debt per capita. He encouraged staff to check with the County Assessor annually to inquire about the tax base change and trend. This allows for the city to plan and not levy more than the growth of the tax base if possible. It was noted that once debt per capita exceeds \$5,000 per, it negatively impacts the public bonding rates a city can secure on new debt. It does not necessarily impact PFA and WIF funding rates. In closing, Mr. Bubany was going to confer with City Engineer Mohs and would provide water and sewer rate recommendations to the council for the coming year.

Truth In Taxation Hearing: The time being 7:05 p.m., Mayor Wallace opened the public truth in taxation hearing.

Clerk/Administrator Quinn provided a statement and the option for those wishing to better understand the budget and levy that a copy of the written report would be provided.

There being no further public comment, motion by Krage, seconded by Mathers to close the public hearing and reconvene in regular session. Motion carried unanimously. The time was 7:08 p.m.

Final Budget & Levy: The final levy reflects an increase of 3.02%. This allows the city to meet needs and attain goals laid out by the finance committee. Motion by Mathers, seconded by Westby to adopt the final budget, levy, and adopt the following resolution. Motion carried unanimously.

**RESOLUTION 2023-15
ADOPTING FINAL 2024 BUDGET AND FINAL TAX LEVY,
COLLECTABLE IN 2024**

Be It Resolved by the city council of the City of Houston, County of Houston, Minnesota, adopts the Preliminary 2024 Budget and that the following sums of money be levied for the current year, collectable in 2024, upon the taxable property in the City of Houston, for the following purposes:

General Fund	198,000
Library Fund	40,500
Ambulance Fund	10,000
Fire Fund	20,000
Park/Rec Fund	5,500
Nature Center Fund	51,000
Vehicle Fund	20,000
Infrastructure Fund	26,000
2016A Ellsworth Street Bond	73,900
2017A Street & Utility Improvement Bond	55,600
2020 MiEnergy Loan	30,000
2020B Lincoln Street Reconstruction Bond	33,100
2020C Community Center Renovation Bond	<u>18,700</u>
Total Levy	\$582,300

The city administrator is hereby instructed to transmit a certified copy of this resolution to the county auditor of Houston County, Minnesota.

Certification of Delinquent City Bills: Motion by Krage, seconded by Westby to approve the delinquent city bills as presented and adopt the following resolution. Motion carried unanimously.

RESOLUTION 2023-16
PLACEMENT OF DELINQUENT UTILITY BILLS UPON THE TAXES OF
RESPECTIVE PROPERTIES WITHIN THE CITY OF HOUSTON, HOUSTON COUNTY,
MINNESOTA

WHEREAS, it appears that there are a number of people who have been duly billed for their usage of water, sewer, and garbage utilities in the City of Houston, and;

WHEREAS, the following persons have failed to pay their said utility bill in a timely manner;

Christopher Chapel	David Green	Rogeena Hurst
Shane Loken	Howard Loveless	Sean Lucey
Michael Norquist	Caiden Olson	Carly Rodriquez
Nikki Siegler		

WHEREAS, the City Code allows of the placement of said delinquent bills on the tax rolls.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator be hereby instructed to inform the County Auditor that s/he shall place the following list of delinquent bills upon the taxes levied against the respective properties:

<u>Owners Name:</u>	<u>Parcel #:</u>	<u>Amount:</u>
Christopher Chapel	24.0063.000	\$160.73
Howard Loveless	24.0093.000	\$1,017.29
Michael Norquist	24.0129.000	\$2,034.11
David Green	24.0136.000	\$299.26
Carly Rodriquez	24.0235.000	\$2,475.78
Sean Lucey	24.0258.000	\$2,148.34
Caiden Olson	24.0260.000	\$1,291.43
Shane Loken	24.0409.000	\$207.06
Nikki Siegler	24.9007.000	\$1,823.04
Rogeena Hurst	24.9009.000	\$123.46

Summer Recreation 2024 Season: Motion by Baumann, seconded by Mathers to accept the resignation of Dale Moga and to authorize a competitive search for Summer Recreation Director for the 2024 season at the same rate as 2023. Motion carried unanimously.

Ambulance Agreement and Commitment to Serve & Hardship Waiver: Motion by Mathers, seconded by Westby to approve a partial hardship waiver in the amount of \$1,100 for Annette Dulek to participate in the Riverland Community College EMT Course being hosted in Spring Grove, Minnesota and beginning January 11, 2024, contingent upon her submitting a signed Agreement and Commitment to Serve and to

approve the agreement and authorize appropriate signatures on the same. Motion carried with Krage abstaining.

Flagpole Donation: Ron and Rae Evenson wish to donate a flagpole (20') with solar lighting. Friends of the Nature Center including Brian Lee have discussed the possibility of installing the flagpole in the long flower bed close to the nature center building which provides optimal viewing for visitors entering the parking lot. Because the lights are solar powered, no electrician services will be required. It was noted that another flagpole is being installed on the south side of the Houston Nature Center parking lot as part of an Eagle Scout project. Motion by Westby, seconded by Baumann to approve the installation of the flagpole with solar lighting in the flowerbed near the Houston Nature Center Building, and to accept the donation from Ron and Rae Evenson. Motion carried unanimously.

Library Sponsored Toy Exchange: Motion by Krage, seconded by Baumann to authorize the library's proposed toy swap and approve the flyer as presented. Motion carried unanimously.

Tree Board Survey: Karen Todd shared the Tree Board is actively pursuing the replacement of trees. They hope to educate the community and learn what the community wants to see for street trees. The goal is to plan and organize tree planting at the City Park to celebrate Arbor Day which occurs in late April. Motion by Baumann, seconded by Westby to approve the survey as presented and authorize its dissemination. Motion carried unanimously.

Audit Service Letter of Understanding: Motion by Mathers, seconded by Krage to accept the Smith Schafer audit terms as presented and authorize the appropriate signature on the letter of understanding. Motion carried unanimously.

PFAS Litigation: Councilperson Mathers reported he performed some research during which he learned the Minnesota Department of Health has a webpage dedicated to PFAS. In addition, the municipal well for the city has been tested for PFAS with results that no PFAS found. Discussion was held. Mathers no support for continued participation and no desire to spend funding. Motion by Mathers, seconded by Baumann no support for continued participation in the class action and no spending of city funds for the requested testing. Motion carried unanimously.

Minutes and Bills: Motion by Krage, seconded by Baumann to approve the minutes of the November 13, 2023, regular meeting, and bills as presented. Motion carried unanimously.

Items to be Placed on File: Motion by Baumann, seconded by Westby to place on file the following items. Motion carried unanimously.

Library Updates and Information, and circulation statistics

Department Head Updates:

Public Works: Public Works Superintendent Thesing was pleased to announce Josh Hongerholt has passed his testing for both water and wastewater plant operations. The department is enjoying the open fall. He's pleased the water filter issues are being addressed and a plan to proceed is in place.

Fire: Fire Chief Skifton stated the recently appointed firefighter will begin testing in February. The Fire Relief Association has utilized fundraiser monies to purchase a side by side and may purchase an

enclosed trailer in which to store it since the fire department building is full of other vital equipment. He is working to determine the features required to best serve the department for the water/rescue skid.

Police: Chief Hurley reported members of his department were invited to and participated by speaking to Houston High School students for career day. Staff will be joining other local law enforcement agencies and Fire Departments next Thursday in delivering Santa gifts to children in Houston, Fillmore and new this year, Winona Counties.

Clerk/Administrator: See update which is on file.

Pursuant to 13D.05 subd. 3 c (1) and (2), motion by Krage, seconded by Westby to convene in closed session to discuss the asking price for real property to be should by the government entity and to review confidential nonpublic appraisal data. Motion carried unanimously. The subject property includes parts of parcels 24.0030.000, 24.0499.000, and 24.0502.005 which the International Owl Center wishes to acquire.

The time being 8:27, the council reconvened in open session.

The following individuals returned to the council chambers, Fillmore County Journal Reporter Wanda Hanson, and Karla Bloem.

It was stated, the purpose of the closed session was to discuss the asking price for real property to be sold by the government entity and to review confidential nonpublic appraisal data related to parts of parcels 24.0030.000, 24.0499.000, and 24.0502.005.

Motion by Mathers, seconded by Baumann to empower committee members Krage and Westby, to negotiate with the International Owl Center for the purchase of the described property based on closes session discussion. Motion carried unanimously.

Adjourn: Motion by Baumann, seconded by Westby to adjourn the meeting at 8:28 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Monday, January 8, 2024.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator