

**CITY OF HOUSTON REGULAR COUNCIL MEETING
AGENDA**

**6:00 P.M., MONDAY, AUGUST 5, 2024
HOUSTON CITY HALL, COUNCIL CHAMBERS
105 West Maple Street**

Pledge of Allegiance

Regular Meeting

Public Comment Period

Section 1. Business before the Council

- A. Lifesaving Awards – Ambulance Director Chris Cox**
- B. Handicapped Parking Follow Up Discussion**
- C. Affirm Mayor/Administrator Authority to sign closing documents for International Owl Center**

Section 2. Action Items

- A. Minutes from July 8, 2024, meeting**
- B. Bills**

Section 3. Consent Agenda Items to Be Placed on File

- A. Library minutes, reports, statistics, and policies**

Section 4. Department Reports

- A. Bolton & Menk – CASH 13/Spruce Street Project Process Update**

Adjournment

MEMORANDUM FOR HOUSTON CITY COUNCIL

Council Date: July 8, 2024

Agenda Item: Handicap Parking 100 Block East Maple Street

From: Follow-up from July Meeting

Administrator Quinn spoke with Kristi Treptow representing Houston Dental Clinic. She expressed strongly the importance of the need for the handicap parking space. She verified the east most storage unit is rented by the Dental Office and questioned whether rotating the spot would have less impact on the next storage unit over and still allow for and continue to provide a handicap parking space. She verified there is a transport bus which brings patients and utilizes the handicap parking space.

Administrator Quinn also spoke with Larry Graf, owner of the storage units and also Graf Insurance. He expressed his opinion that his business (Graf Insurance) did not have strong feelings or known need for the handicapped parking space. He was aware that the current handicapped spot caused issues with renters of his storage lockers. He shared his opinion that the handicapped parking space was utilized by patients of the dental clinic.

Patrick Forsyth, owner of Bluff Country Financial, indicated his business has no use or need for the handicapped parking space which is across the street. If he had a need, he would advocate for handicapped parking on the same side of the street as his business.

Mayor Scott Wallace called the City Council meeting to order at 6:00 p.m. July 8, 2024, with the Pledge of Allegiance. Council present: Mayor Scott Wallace, Zeb Baumann, Emily Krage, Cody Mathers, and Steve Westby. Staff present: Suzie Cox, Michelle Quinn, Brett Hurley, John Langheinrich, Randy Thesing, and Josh Hongerholt. A listing of public members present is on file.

Public Comment: Jerry Tippery questioned the process by which handicapped parking stalls are recognized. He has a storage unit and the door to it is blocked by a handicapped parking stall which prevents him from accessing his unit.

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

John Langheinrich 5 years of service as of April 18, 2024

Ambulance Appreciation: Anna Frauenkron was honored to share the following ambulance staff have been recognized by the National Registry of Emergency Medical Technicians for over 40 years of dedicated service to the City of Houston, its residents and surrounding residents;

Dave Runnigen - 40 years of service, service began March 18, 1981

Chris Cox - 40 years of service, service began May 20, 1982

Training Center: Anna Frauenkron was pleased to share that the Houston Community Ambulance is now a State recognized training facility. This will allow in-house credentialing of EMR and EMT's along with meeting ongoing CEU requirements of both. Ambulance Director Chris Cox stated Anna Frauenkron has worked extremely hard so that the service could achieve this status. In addition, Anna Frauenkron has become a CPR Certified Trainer and completed CISM (Critical Incident Stress Management) training which will allow her to assist those EMS providers touched by challenging calls.

Root River Trail Extension: Larry Kirch, contract employee for the City of La Crescent, provided a brief history of the Root River Trail Extension Citizen Exploratory Committee. He shared information from a PowerPoint which is on file. The project requires the collaboration of several entities including the sponsor cities, county, Fish and Wildlife, Wildlife Management Areas, Scientific Natural Areas, Railroad land, State 16 Right of Way, and privately held lands. It was noted that there will be no condemnation as the project is dedicated to working with willing landowners only. There are multiple funding streams which may be accessed including LAWCON, State Bonding, Active Transportation Improvement Project (ATIP), DNR Park and Rec Grants, MN Dot Transportation funds, and other grants/funds as appropriate. The group is soliciting support from local, state, and federal legislators and various groups such as SMART which Mr. Kirch encouraged member cities to join. Discussion was held. Motion by Mathers, seconded by Baumann to support the Trail Plan as presented. Motion carried unanimously.

Houston Area Chamber of Commerce/Holiday Lighting: Michelle Hoskins presented information related to an initiative that would fund new holiday decorations for city streetlamp poles. The group would like to fundraise \$20,000 to purchase LED snowflakes and banners to replace the wreaths which the city has displayed for many years and are showing wear and is requesting the council's support. Randy Thesing expressed support of the initiative from Public Works. He encouraged a review of banners for wind sheer prior to making any purchases. Motion by Baumann, seconded by Westby in support of the initiative by the Houston Area Chamber to fundraise in hopes of being able to purchase new streetlamp pole decorations to displayed during the holiday and winter season. Motion carried unanimously.

Variance Request for 409 S Ellsworth Street: Quinn provided a project overview of the variance request. On the recommendation of the Planning Board, motion by Mathers, seconded by Baumann to approve the variance and to adopt resolution 2024-16. Motion carried with Krage abstaining.

RESOLUTION NO. 2024-16
ADOPTING FINDINGS OF FACT AND REASONS FOR APPROVAL
FOR VARIANCE APPLICATION OF ANDREW KRAGE AND EMILY (ERNEST) KRAGE
409 SOUTH ELLSOWRTH STREET

FACTS

1. Andrew Krage and Emily (Ernest) Krage are the owner's of a parcel of land located at 409 South Ellsworth 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 to install a 48-inch fence in the front yard; and,
4. The proposal would vary from City Code § 151.47 (D), exceeding the front yard fence height maximum of 42 inches by 6 inches.
5. Following a public hearing held on July 1, 2024, the Houston Planning Commission recommended approval of the variance.
6. On July 8, 2024, 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 complies with city code through its use of approved fence materials in the front yard and

reducing the height of the pre-constructed panels would negatively impact the visual aesthetics.

10. The requested variance is consistent with the comprehensive plan because it utilizes approved fence materials in the front yard, is congruent, and the appearance will be acceptable. There is also an added benefit that pets will be contained.
11. The property owner does propose to use the property in a reasonable manner because they seek to comply with an ordinance which requires pets be contained and the fence will ensure this.
12. There are unique circumstances to the property not created by the landowner since landowner being an interior lot with no adjoining alley and/or driveways there are no line-of-sight concerns.
13. The variance will maintain the essential character of the locality because fences are common in residential neighborhoods, the project owners have planned for the ability to maintain the fence, provided for snow storage, and the finished side of the fence will face the neighboring properties and street in compliance with city code.

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 construction of the fence with conditions as recommended by the Planning Commission, so as to deviate from City Code §151.57 is hereby approved; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Houston, Minnesota that the Fence Permit Application is hereby approved.

Elections: Administrator Quinn shared information about recent legislation which allows for governing the counting of write in votes for local offices. Motion by Krage, seconded by Westby to adopt the following. Motion carried unanimously.

RESOLUTION NO. 2024-17
A RESOLUTION GOVERNING WRITE-IN VOTE COUNTING

WHEREAS, Minnesota Statute §204B.09, subd. 3 authorizes a city to adopt a resolution governing the counting of write-in votes;

WHEREAS, a city that adopts a resolution must do so before the first day of filing for office;

WHEREAS, city election officials spend considerable time and resources to count and individually record write-in votes case, many of which are frivolous; and

WHEREAS, in order to save city time and resources, it is in the best interest of the City of Houston, to enforce restrictions on the counting of write-in votes consistent with the provisions of Minnesota Statute §204B.09, subd. 3.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, MINNESOTA THAT: Votes for write-in candidates will only be individually recorded if the total number of write-in votes for an office is equal to or greater than the fewest number of non-write-in votes for a ballot candidate for that office.

Cellular Device Stipend: Clerk/Administrator Quinn requested the Nature Center Lead be approved for a cellular device stipend due to evolving cybersecurity requirements to safeguard city accounts require the download of an app to a personal device in order fulfill multi-factor authentication security to access online software containing Nature Center email along with other computing software i.e. word and excel, both of which are used daily to perform the duties of the office. The cellular device policy states that the stipend is available to full-time staff. However, access to software and email is critical to this department lead to discharge the duties of the office and constitutes the reason for this request. Motion by Mathers, seconded by Westby to approve the cellular device stipend for the Nature Center Lead. Motion carried unanimously.

Facilities/Shaping Quotes West Elm Street: Two quotes were received for shaping of a block of west Elm Street between Jefferson and Washington Streets. Motion by Krage, seconded by Westby to accept the low quote submitted by RG Steinfeldt, LLC in the amount of \$2,399.00 for shaping prior to double chip sealing of the specified section of roadway. Motion carried unanimously.

Sealcoating: An additional area was identified which should be seal coated. It is an area on South Grant Drive which had a culvert replacement. Scott Construction has already been awarded other sealcoating work within the city, therefore, a quote for the additional area was requested. Motion by Krage, seconded by Westby to accept the quote for the additional sealcoating in the amount of \$400 submitted by Scott Construction Inc. and to authorize the work. Motion carried unanimously.

Property/Liability Insurance Renewal – Waiver of Liability Limit: Motion by Mathers, 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.

Light Pole in Trailhead Park: Westby reported on a proposed donation to install a second light pole, with electricity being supplied by Farmers Win Coop in Trailhead Park where tractor pullers are staged during Houston Hoedown. The work and supplies would be donated. There would be no cost to the city. Westby expressed support for the project. 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 Baumann to accept the donation of the light pole and installation. Motion carried unanimously.

Purchase Agreement: Clerk/Administrator Quinn explained concerns expressed by the International Owl Center and related to section 8.0 of a proposed purchase agreement. She presented two options, prepared by the City Attorney, to the council, one which warrants access in section 8.0 and another which does not include the warrant of access language in the same section. Motion by Krage, seconded by Westby to approve the agreement without warranty of access from a public right of way. Motion carried unanimously.

Minutes and Bills: Motion by Krage, seconded by Westby to approve the minutes of the June 12, 2024, regular meeting, 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.

Library minutes, reports, and statistics

MDH Quarterly Results

Department Head Updates:

Clerk/Administrator: A written update is on file.

Bolton & Menk: A written update is on file.

Public Works: Public Works Superintendent Thesing stated street paint is always freshened up in July prior to Houston Hoedown Days. The yellow paint is complete and white will be done soon. A pump at the wastewater treatment plant has been taken in for work. It is believed a seal has gone out which should be covered by warranty. This has not impacted the operation of the plant as there are multiple pumps which alternate to perform the processes. There are several projects taking place outside of town which require water, so the city has been selling water to contractors to meet their project needs.

Police: Chief Hurley indicated the department is actively gearing up for Hoedown and National Night out which takes place on the first Tuesday of August being the 6th.

Reminder: The August meeting is to be held on the first Monday of August, being Monday, August 5th. This was the schedule adopted and was done to accommodate primary election staff obligations during the second Monday of the month. Please be sure to update your calendars and alerts if you did not do so when the meeting schedule was adopted.

Adjourn: Motion by Krage, seconded by Westby to adjourn the meeting at 7:04 p.m. Motion carried unanimously. The next regular meeting of the Council is scheduled for Monday, August 5, 2024.

By: _____
Scott Wallace, Mayor

Attest: _____
Michelle Quinn, Clerk/Administrator

Houston Public Library Board Meeting
Tuesday, July 9, 2024

Called to order: 6:32 pm by President Krin Abraham

Members present: Beth Peterson-Lee, Denise Rostad, Lee Wendel, Krin Abraham, Pat Keehner, Sarah Merchelwitz, Zeb Baumann

Members absent: Lisa Skifton, Kate Baumann

Agenda

Approved. Motion made by Zeb, seconded by Lee.

Public comment: none

Minutes

Minutes were approved. Motion by Zeb, seconded by Denise.

Policy Review and Strategic Planning

After the second reading of the Volunteer policy, a motion was made by Denise and seconded by Zeb to approve the policy. Motion carried.

The Circulation policy was combined by Beth into the Service policy. Lee moved and Zeb seconded that we approve the policy. Motion carried.

There was a first reading of the Challenge policy as a part of the Circulation Development policy. Beth proposed changes to the challenge policy to make it more robust. This will have a second reading and be up for approval at the next meeting.

Strategic Planning: All benchmarks have been achieved. New benchmarks will be discussed under Old Business.

Library Report: See attached.

Old Business

Planning was done for the Hoedown Parade float with the theme of The Little Library That Could. Tasks were assigned and construction will take place on Thursday, July 25 at 6:30 pm at Sarah's garage.

Year Two Benchmarks were discussed with Krin developing a new grid. Suggestions included advertising the Library of Things, ideas for more adult programs, and partnering with other groups in the community. The new grid will be sent to members of the board.

New Business

Krin reported that the plexiglass on the LFL at the Nature Center needs repair. Zeb suggested that in August we go back to meeting at the table in the library to allow more access for children who are coming in to get books.

Denise moved and Zeb seconded to adjourn the meeting. Motion carried, and meeting was adjourned at 7:36 pm.

The next meeting will be on August 13, 2024 at 6:30 pm.

Respectfully submitted by Denise Rostad, Secretary

Library Report

July 2024

1. ILS migration: SELCO is currently in the selection process, which is expected to be completed by the end of August. Four potential vendors have presented demonstrations of their platforms. When a vendor is selected, contract negotiations will begin. Then the implementation will begin. Individual libraries are preparing for the migration by ensuring technical competencies among staff, verifying all of our item data and borrower data are correct, and weeding collections. Inventory will be done in Houston in the fall.
2. Twins ticket raffle: The Friends of the library have launched a Twins game ticket raffle as a fundraiser. The tickets were donated by Bolton and Menk. Tickets are on sale for \$5 each. A winner will be selected on Monday, July 29 during a family-friendly event at the library. We'll be having lawn games and snacks, purchased by the Friends.
3. Summer programs so far:
 - Birdwatching adventure (in partnership with the Friends of the Houston Nature Center): approximately 45 people attended. We had the assistance of two volunteers from the Friends of the Nature Center.
 - Munchkin the Mini Horse: about 150 people attended.
 - Tales by Terry: 75 people attended.
 - Magic of Isaiah: 100 people attended.

Thanks to the Meet Up and Eat Up crew for providing lunches for some big crowds!
4. Coming up:
 - July 3: Library Olympics
 - July 10: Snakes of the Blufflands with Whitewater State Park at the city park.
 - July 11: Doug Ohman presents Looking Back: Minnesota 150 years ago (program geared towards adults) at the library.
 - July 13: 4-H storytime with Silver Creek Rustlers at the library.
 - July 17: National Eagle Center at the Hurricane Hub.
 - July 24: Will Bjorndahl at the city park.
5. Policies: Service policy ready for approval or revision.
Volunteer policy ready for approval or revision.
Challenge policy draft ready for review and discussion.

Service Policy

Houston Public Library

Purpose:

The purpose of the Service Policy is to specify requirements for library card registration; to clarify the use of the library, including access to materials, the use of interlibrary loan and holds, and the process for fines and fees; and to outline patrons' rights regarding data privacy.

1. Borrower Data Privacy

- A. Houston Public Library employees will safeguard data collected or maintained within library records. Personal information regarding library borrowers including their address, phone number, etc. will be considered private data that may not be disclosed for other than library purposes, except pursuant to a court order.
- B. According to the Minnesota Data Practices Act [MN Statutes §13.40, subd. 2 – Private Data for Library Borrowers], the following data is private and may not be disclosed for other than library purposes except pursuant to a court order:
 - a. Data linking a library patron's name with materials requested or borrowed by the patron or that link a patron's name with a specific subject about which the patron has requested information or materials;
or
 - b. Data in applications for borrower cards, other than the name of the borrower.
 - c. All Houston Public Library employees are advised that such records shall not be made available to any agency of state, federal or local government except pursuant to such process, order, or subpoena as may be authorized under the authority of, and pursuant to, federal, state or local law relating to civil, criminal, or administrative discovery procedures or legislative investigatory power.
- C. The Minnesota Data Practices Act [MN Statutes §13.40 subd. 2 – Private Data for Library Borrowers] states the following with regards to materials requested by and held for a specific patron: Houston Public Library may release reserved materials to a family member or other person who resides with a library patron and who is picking up the material on behalf of the patron. A patron may request that reserved materials be released only to the patron.

2. Library Card Registration Policy

- A. Library cards are free and available to anyone who lives in the state of Minnesota. You must provide proof of residence to be issued a library card (i.e. drivers' license, passport, etc.).

- Overdue items automatically are considered lost after 54 days. Library staff can also manually change the status of an item to lost. If an item is lost, patrons are charged the full replacement costs of the item, which may include an allowance for processing costs and staff time. The payments for other libraries' lost items will be sent to the owning location.
- If a lost item is found, upon check-in, the lost fee will be removed from the card and replaced with the maximum amount of fines. If an item is found after the patron has already paid for its cost, the patron will not be reimbursed.
- Library staff can claim an item as returned, on a case by case basis. This is only done when it is deemed plausible that staff error has caused the item to be on a patron's card when it should not be there.

F. Damaged Items:

If an item is returned damaged, library staff will evaluate its condition. If the item is no longer usable, the patron will be assessed its full cost. Payments for non-Houston items will be sent to the owning location. If the item is fixable, the patron might incur a fee for its repair, set at the discretion of library staff.

This policy will be reviewed every three years.

Adopted: July 9, 2024

Volunteer Policy

Houston Public Library

Purpose:

The Houston Public Library encourages volunteers to supplement the efforts of paid library staff to provide quality library services. Volunteers are connections to our community and advocates for our mission and values. The Houston Public Library views active participation of citizens of all ages and backgrounds as a valuable resource to our library and our community. Volunteers perform a wide variety of tasks that are vital to the institution and enhance our services.

Definition of a volunteer:

A volunteer is a person who performs a service of their own free will; one who contributes time, energy, and talents directly to the library and is not paid by library funds.

Guidelines for volunteers:

1. Volunteers must be approved by library staff prior to performance of assigned tasks.
2. Volunteers have the right to be given meaningful work, to be treated as an equal, to be respectfully supervised, and to be recognized for their efforts.
3. Volunteers have the right to refuse to perform tasks for any reason.
4. Volunteers will receive relevant and sufficient training for their assigned tasks.
5. The schedule for volunteer work is dependent on the availability of staff to supervise.
6. Volunteers have a right to request reasonable accommodations.
7. Children under sixteen must have parent/guardian permission before volunteering.
8. A background check may be required for adult volunteers.
9. Volunteers may be used to support staff in current library services.
10. Volunteers may be used to establish, enhance, and maintain new library services with the understanding that those services may be discontinued if the volunteer should ever leave their volunteer position.
11. Volunteers will not be used to replace, reduce, or supplant the number of paid staff.
12. Volunteers will perform tasks at their own risk. Volunteers will not be covered by liability insurance while performing services for the library.
13. Volunteers are representatives of the Houston Public Library and are guided by the same work and behavior expectations as employees. They will maintain professional demeanor towards patrons, staff, and other volunteers.
14. Volunteers must abide by the library's conduct policy at all times while performing tasks at the library.
15. Volunteers will respect and maintain the confidentiality of all library and patron information, including patrons' personal information and checkout history.
16. The library staff will provide letters of reference or recommendation for volunteers upon request, if appropriate.
17. This policy does not constitute a contract between the library and a volunteer. Either the library or the volunteer may terminate their association at any time without cause being stated.

This policy will be reviewed every three years.

Adopted: July 9, 2024



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ENGINEERING MEMORANDUM for the 8/5/24 COUNCIL MEETING

Date: July 31, 2024
To: Honorable Mayor and City Council Members
From: Bolton & Menk
Subject: Current Project Update & Miscellaneous Business
City of Houston

CSAH 13 Improvements / 2025 Street & Utility Improvements (Project No. OH1.132714)

Design work for this project is now underway and plan drafting is 40-50% complete.

After a more detailed look at tree impacts, we believe tree removals will total ~10-13, rather than the 20+ we previously estimated. Tree removals and the associated replacements will be discussed in more detail with the tree board at their regular meeting on August 1st.

We'll also be holding a meeting with private utility owners in mid-August. This meeting is required to coordinate any relocations or conflicts between our project and other utilities in the right-of-way, such as gas, communications, electrical, etc.

Lastly, properties which will receive a 100% water service line replacement to remove lead pipe will eventually need a construction and property access agreement for work outside the public right-of-way. We'll be reaching out to those owners in the coming week to initiate that process.

Please reach out to Derek at 507-525-2685 with any questions.

Thank you