

Mayor Dave Olson called the City Council meeting to order at 6:00 p.m. on December 11, 2017 with the Pledge of Allegiance. Present were: Mayor David Olson, Matt Schutte, Kevin Knutson, Cheryl Sanden and Emily Krage. Also present were: Christina Peterson, Audrey Hegland, Randy Thesing, Ed Jacobs, Chief David Breault, Sue Wiegrefe, Marlene Schultz, Ellyn Baumann, Eric Leitzen-Fillmore County News.

Mayor Olson asked if there was any public comment: Marlene Schultz inquired whether the house at 206 Lincoln Street has been sold and if so, that the City make sure it is repaired and not allowed to remain in the current condition. Peterson said it had been purchased and that the City will monitor its repair.

Public Hearing: Mayor Olson opened the Public Hearing -2018 Budget and Tax Levy Collectible in 2018: A resolution was introduced presenting the 2018 Budget and final 2017 tax Levy, collectible in 2018, as follows:

General Fund	\$ 196,815
Library Fund	37,275
Fire Relief	7,000
Fire Fund	50,000
Park/Rec Fund	5,000
Nature Center Fund	38,000
2011 Sherman Street Bond	58,000
2016 Ellsworth Street Bond	50,000
2017 Street & Utility Improvement Bond	<u>55,000</u>
TOTAL LEVY	\$ 497,090

Mayor Olson called for any public comments. Hearing none, the Public Hearing was closed at 6:04 pm.

Resolution 2017-22, Houston County Hazard Mitigation Plan Update – Olivia Niday, Houston County Emergency Management Director: Ms. Niday summarized the new Houston County Hazard Mitigation Plan and requested the Council approve the Resolution to adopt this Plan. She outlined the benefits included in the Plan, such as goals and objectives and action plan identifying specific mitigation projects for Houston, and that the Plan will assure that the City is eligible for FEMA mitigation assistance in case of disaster. MOTION BY SANDEN, SECONDED BY SCHUTTE TO ADOPT THE HOUSTON COUNTY HAZARD MITIGATION PLAN 2017; MOTION CARRIED UNANIMOUSLY.

Resolution 2017–23, Approve Final 2018 Budget and Tax Levy Collectible in 2018: The funds in the proposed levy are the same as the preliminary tax levy in September. MOTION BY KNUTSON, SECONDED BY SANDEN TO APPROVE RESOLUTION 2017-23 TO ADOPT THE FINAL 2018 BUDGET AND TAX LEVY, COLLECTIBLE IN 2018; MOTION CARRIED UNANIMOUSLY.

Resolution 2017 – 24, 25, 26, Delinquent Utility Bills moved to end of agenda so that Emily Krage can arrive.

Building Code Enforcement: With the State Building Code in force in Houston at this time, all contractors and other construction must follow its guidelines and the work inspected and approved. The City is a small town with limited employees to coordinate the many details involved in the process. Peterson said there are many instances where a permit should have been applied for but was not; often times work was not visible, being done inside a dwelling, etc. In addition, the process costs the City money to maintain; is not profitable. Comment was made that if a city is under 2500 population, it is not mandatory to enforce the MN Basic Code.

Peterson asked for Council’s direction as to keeping the State Building Code for another year or opting out. It was

pointed out that all licensed contractors are supposed to comply with the Building Code regardless if inspections are performed. If a complaint is received about work not having been done satisfactorily, Peterson pointed out that the City would have the option of calling the State.

She will schedule the required Public Hearing for the January Council meeting regarding the State Building Code. She will verify that the existing City code does have language that states people need to come get a City permit for work being done, and draft a fee ordinance for next month's Council meeting.

Zoning Language – "Meat Locker": An individual previously had expressed interest in putting up a butcher shop in Houston, but it did not materialize at that time. They are now looking at buying a property on the west end of Houston for this purpose, which would include slaughter and processing. He is asking for Council's permission to use this building for this. City Code C-1 and C-2 zoning already lists meat lockers for permitted use; however, Peterson began checking for better definitions of "meat locker". She checked with the State's Dairy and Meat Inspection Division regarding the terminology of meat locker and slaughter.

The State indicated that the terms slaughter and processing have become generalized and associated as the same type of operation, since animals cannot be slaughtered without further processing them. They stated the City should be specific when writing ordinances pertaining to this; that inserting "meat slaughter and processing facility" will be sufficient.

The sewer and water ordinance should be reviewed to assure it complies with this suggested language and MPCA regulations. Thesing expressed concern that it is very important to handle waste so it does not have negative effects to the waste water treatment plant. There are very strict federal and state guidelines governing meat processing plants that will require a trap be installed. This could also be included in the amended ordinance. Peterson will review the existing ordinances, making sure the City is protected against certain uses of sewer facilities.

Peterson presented several options to consider pertaining to the ordinance:

- Consider the current Zoning Code accurate as is when pertaining to meat lockers;
- Amend the City Code 31.51 Definitions to include "slaughter and processing and drying";
- Change to a conditional use, in which case there will be further steps involved before the owner can be permitted to move ahead.

MOTION BY SANDEN, SECONDED BY SCHUTTE TO ADOPT AMENDMENTS TO THE BUILDING CODE C-1 AND C-II AND THE SUGGESTED UPDATES TO ORDINANCE NO. 227; MOTION CARRIED UNANIMOUSLY.

She presented an amendment to City Ordinance 227 as follows:

AN ORDINANCE AMENDING THE ZONING CODE FOR COMMERCIAL-1 AND COMMERCIAL-2 DISTRICT
FOR THE CITY OF HOUSTON, COUNTY OF HOUSTON, MN

Whereas, the Commercial-1 and Commercial-2 District allow Meat Locker Shops as a permitted use; and

Whereas, the term Meat Locker Shop is not defined in the Houston Zoning Code; and

Whereas, the term Retail Meat Market is defined in Minnesota Statutes 31.51; and

Whereas, a Public Hearing was held on April 3, 2017 at a meeting of the Houston Planning Commission to review the permitted uses in the Industrial and commercial zoning districts.

Now therefore, the City Council of the City of Houston, Minnesota, ordains:

The Houston Zoning Code be amended to define Meat Locker Shop as a Retail Meat Market and/or Wholesale Meat Processing establishment with or without slaughtering facilities, where animal carcasses or edible products derived therefrom are processed, cured, smoked, and/or dried.

PASSED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, MINNESOTA THIS 11TH DAY OF DECEMBER, 2017.
APPROVED BY DAVID OLSON, MAYOR, AND ATTESTED TO BY CHRISTINA PETERSON, CITY ADMINISTRATOR.

MOTION BY SANDEN, SECONDED BY SCHUTTE TO ADOPT AMENDMENTS TO THE BUILDING CODE C-I and C-II AND THE SUGGESTED UPDATES TO ORDINANCE NO. 227; MOTION CARRIED UNANIMOUSLY.

Building Code Enforcement: Peterson presented background on the City's formally adopting the MN Building Code in 2005, along with its enforcement/inspection program. The main benefit of the Building Code is that it ensures the quality of structures but there are also challenges to running the program. She stated that a city the size of Houston cannot afford to hire its own full-time building inspector so the City contracts with CMS inspections for these services. The administration of the program falls on City staff and requires significant time. She requested the Council consider the benefits of the program vs. the costs and challenges:

- Staff time;
- Cost for inspections;
- Is the program meeting the intended goal?
- Does everyone follow the requirements of the program? Get permits?
- Does the process and fees deter improvements and new construction?

She stated that in order to repeal the Building Code Ordinance, a public hearing would be required and a new ordinance be adopted to repeal the existing ordinance.

2018 Ordinance Updates: Peterson presented a list of City ordinances that are either new or could use updating. New ordinances to consider:

- Shoreland (required due to annexation and proximity to river)
- Signage
- Right-of-Way, Utility company use of Right-of-Way
- Franchise Agreements
- Farm Animals (chickens)

Changes to consider:

- Floodplain (required update)
- Sewer policies (septic admin)
- Water policies (private well policy, water shut-offs)
- Fees
- Weed notices
- Golf cart permitting
- Dogs (clarify number allowed)
- Number of Liquor Licenses

After discussion, it was decided to continue to require golf cart permits and issue temporary permits over Hoedown. Regarding amount of dogs or animals permitted, the Basic Code is different than what the former City

policy has been, which was that three animals are allowed per household; this is still being observed but will be reviewed. Liquor Licenses: Sanden thought three per year are currently allowed but Peterson will look for documentation on this.

City Attorney – Prosecutions: Chief Breault has researched which attorney would best serve the City's prosecution needs, bearing in mind travel expense. He has interviewed and spoken directly with several attorneys, including the County's attorney who has submitted a proposal to handle the City's prosecution. Breault stated that an essential criteria is that the attorney be accessible at all times, day or night, when called upon to render a legal opinion. He provided a written summary of what Attorney Mike Murphy can provide, which is similar to what Jed Hammell, City's previous attorney, provided. In addition, Murphy also has had a working relationship with the City, handling misdemeanors and petty misdemeanors and is located in nearby Caledonia, which is another plus relating potential expense for travel. After further discussion, MOTION MADE BY SANDEN, SECONDED BY KNUTSON TO HIRE ATTORNEY MIKE MURPHY AS THE CITY'S PROSECUTING ATTORNEY; MOTION CARRIED UNANIMOUSLY. For other City legal matters, Flaherty and Hood of Winona will continue to serve.

Snow Removal Bid: The bid for this winter's snow removal by Botcher Construction Co. Inc. has been received; the amount is similar to last year's, only slightly higher. MOTION BY SCHUTTE, SECONDED BY SANDEN TO APPROVE THE BID FOR SNOW REMOVAL AS SUBMITTED BY BOTCHER CONSTRUCTION; MOTION CARRIED UNANIMOUSLY.

Private Ash Trees: Ed Jacobs stated there are private properties that have diseased or dead ash trees on them. One in particular is a hazard in that a large branch is hanging well over the street. MOTION BY SANDEN, SECONDED BY KRAGE TO ORDER THAT THE HAZARDOUS TREE AT 315 CHASE STREET BE REMOVED; MOTION CARRIED UNANIMOUSLY.

2017 Street & Utility Improvements (Elm St. and Stoddard St.) – Pay Estimate #2: MOTION BY KRAGE, SECONDED BY SCHUTTE TO PAY ALCON'S CONTRACTOR'S PAY REQUEST FOR ESTIMATE NO. 2 IN THE AMOUNT OF \$23,337.48; MOTION CARRIED UNANIMOUSLY.

Employees Health Insurance Renewal: Blue Cross Blue Shield former insurance plan for City employees has changed significantly. Other Blue Cross plans were presented for Council consideration. After discussion, MOTION WAS MADE BY SANDEN, SECONDED BY KNUTSON TO ACCEPT THE BLUE CROSS BLUE SHIELD PLAN # 627 THAT HAS A 3700/7400 DEDUCTIBLE FOR SINGLE/FAMILY, 20% CO-INSURANCE, 6500/13000 OUT OF POCKET, 30-50 OFFICE VISIT CO-PAY, PREVENTATIVE COVERED, 10-150 PRESCRIPTIONS; MOTION CARRIED UNANIMOUSLY.

Wastewater Treatment Training – Randy Thesing March 21-23: As part of his annual required MPCA training for Wastewater Treatment Licensing, this session will include information on type IV Biosolids. Thesing said that more contact/training hours will be required when the new water treatment plant is built.

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

Financial Report: MOTION BY SANDEN, SECONDED BY KRAGE TO APPROVE THE FINANCIAL REPORT AS PRESENTED; MOTION CARRIED UNANIMOUSLY.

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

Department Reports:

Maintenance: Gear box went out of the sweeper; Thesing/Jacobs are in process of repairing it. Snow removal will soon be necessary; the City will plow when there is an accumulation of three inches; all residents need to get their vehicles off the street at this time.

Police: As of 2018 all officers have to attend mandated diversity and de-escalation training. The Sheriff's Department is going to try to provide this if possible; not certain yet.

Administrator: *Open House* scheduled for Larry Jerviss' retirement; he has served over 30 years with the City. *Board of Appeals and Equalization Training*: Two Council members must have this training in order to override decisions made by the Assessor. It is available on-line and should be done by February 1. Peterson will check if it available via personal presentations by a staff member. Krage and Sanden will represent the City in this training. *Christmas Decorations on Cedar Street*: Comments were made that the current decorations need to be replaced; Sanden and Schutte volunteered to research replacements, bearing mind that weight must be a consideration since the light poles cannot support a lot of weight. Suggested they work with Craig Stanislawski to develop a lightweight example that will not fade. Thesing stated there is no electrical power to the east end sign but is available on the west and north ends.

MOTION BY SCHUTTE, SECONDED BY SANDEN TO ADJOURN AT 7:25S PM; MOTION CARRIED UNANIMOUSLY.