

MINUTES
CITY COUNCIL CHARTER MEETING
January 4, 2010
5:30 P.M.
Council Chambers

MEMBERS PRESENT: Mayor Stiehm. Council Members Brian McAlister, Jeff Austin, Dick Pacholl, Steve King, Marian Clennon and John Martin. Council Member-at-Large Janet Anderson.

MEMBERS ABSENT: None.

STAFF PRESENT: Jon Erichson, Craig Hoium, Tom Dankert, Jeanne Howatt, David Hoversten, Brian Lovik, Kim Underwood, Ann Hokanson, Brian Krueger and Steven Lang.

OTHERS PRESENT: Post Bulletin, Austin Daily Herald. Jerry Boland. Jana Gray.

Moved by Council Member Austin seconded by Council Member Pacholl, approving the agenda. Carried.

The city council minutes of December 21, 2009 will be ready for approval at the January 19, 2010 meeting. No council action.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, approving the consent agenda as follows:

Licenses:

Tree Removal: Ten Janning Tree Service, Blooming Prairie, MN

Excavation: DeCook Excavating, Byron, MN

Concrete: Wagner Construction, Austin, MN

Exempt Gambling: Austin Area Chamber of Commerce at Elk's Lodge, March 5

Exempt Gambling: Austin Area Chamber of Commerce at Bandshell

Community Park, July 4

Plumber: MJ O'Connor, Austin, MN

Claims:

- a. Pre-list of bills.

Carried.

There are fallen trees on city property between I-90 and 21st Street NE due to the tornado of 2009. The City has looked at various funding alternatives. We applied for a Hormel

Foundation grant and have been approved for \$12,500. We have also submitted a funding request from the Cedar River Watershed. The Watershed denied funding to us because they do not have a policy in place for this type of thing; however, there is a potential for future funding from them. The City then sent out a bid packages to three licensed tree removal contractors but received only one bid as follows:

Kyle Johnson Tree Service \$17,180

The bid is more than our available funds so based on that fact plus having received only one bid, City Engineer Jon Erichson recommends rejecting the bid, continuing to seek additional funding, and later putting together another bid.

Moved by Council Member Austin, seconded by Council Member King, rejecting all bids. Carried.

The City must annually by resolution approve the depositories for checking and investments of public funds. City Finance Director Tom Dankert said there are minimal changes: Two firms have been removed from the investment portion, plus some investment brokerages have changed their names.

Moved by Council Member Austin, seconded by Council Member Clennon, adopting a resolution designating depositories for checking and investments for the year 2010. 6-1. Council Member Martin voted nay.

The City has solicited bids for its official newspaper designation for this year. The bids have come in the same at \$2.95 per column inch. The circulation numbers for the 55912 zip code are as follows:

<u>Austin Daily Herald</u>		<u>Austin Post Bulletin</u>	
Sunday:	4187	Saturday:	9559
Monday-Friday	3735	Monday-Friday	2392

City Administrator Jim Hurm said that in 2009, the Post Bulletin was the legal paper but previous to that the Austin Daily Herald had always been the legal newspaper. Jerry Boland, general manager of Austin Post Bulletin, noted that their Saturday home circulation is 83% as it goes to all households. Also, their audited information is from an independent audit. Jana Gray, sales manager at the Austin Daily Herald, reminded Council that their paper has been in town since 1891, and their circulation is 80% within Austin.

Council Member King asked when the legal notices are published. Mr. Hurm said it could be 50-50 but that it was difficult to determine.

Mayor Stiehm said we found out last year that it is not possible to have both papers so Council must pick one.

Council Member King said it is a tough decision since both are at the same price and both have come down from last year. He thought perhaps we should alternate each year, and his inclination is to go with the Herald this year.

Council Member Martin said he was swayed last year due to the fact that the Herald has been in town since 1891; however, since then the Herald has taken jobs out of the community.

Moved by Council Member King, seconded by Council Member Austin, designating the Austin Daily Herald as the official newspaper for the City of Austin for 2010. 5-1. 1 abstention. Council Member Martin voted nay. Council Member Pacholl abstained.

Assistant City Engineer Steven Lang gave a recap of the street projects for 2010. All projects are included in the 5-year CIP.

Project 3-A-10 is found feasible and includes the following.
11th Avenue SW (4th St. to 12th St.)

This section of 11th Avenue SW is an asphalt street urban design with curb & gutter at a width of 36 feet. The current pavement was constructed in the early 60’s and is classified as a local/residential roadway. The proposed project will consist of the following:

- 1) Remove the existing asphalt pavement and replace with 4.5” of asphalt pavement and 6” of aggregate base.
- 2) The curb & gutter will be removed and replaced at a width of 36 feet. In-drives and boulevards will be replaced as well.
- 3) Upgrade the drainage infrastructure, which will include installing new catch basins, laterals and mains. A tile system will also be installed to improve subsurface drainage.
- 4) The 30” sanitary sewer trunk line will be inspected to determine any necessary repairs.
- 5) Provide handicap accessible intersections and upgrade existing deficient sidewalk.
- 6) Austin Utilities does not anticipate any infrastructure work with this project.

The estimated costs are as follows:

11 th Avenue SW	\$1,000,000
----------------------------	-------------

The total estimated costs would be funded as follows:

Assessment Bonds	\$500,000
WWTP Fund 61	\$300,000
Storm Water Utility District Fund 67	\$200,000

Council Member McAlister asked what the indrives are replaced with. Mr. Lang said concrete ones are replaced with concrete. Anything else is replaced with asphalt.

Moved by Council Member Austin, seconded by Council Member Pacholl, adopting the resolution approving Project 3-A-10 and setting a hearing for February 16, 2010. 7-0. Carried.

Project 4-A-10 is found feasible and includes the following.
21st Street NE – Service Drive (Oakland Ave. to 6th Ave.)

This 21st Street NE – Service Drive is an asphalt street urban design with curb & gutter at a width of 20 feet. The current pavement was constructed in the early 70's and is classified as a local/residential service drive. The proposed project will consist of the following:

- 1) Remove the existing asphalt pavement and replace with 4” of asphalt pavement, 6” of aggregate base and 12” of granular borrow.
- 2) The curb & gutter will remain in place with misc. spot repairs at the existing width of 20 feet. Existing indrives and boulevards will remain as well.
- 3) Upgrade the drainage infrastructure, which will include installing new catch basins, laterals and mains. A tile system will also be installed to improve subsurface drainage.
- 4) The sanitary sewer has been televised and based on the inspection report no sanitary repairs will be necessary.
- 5) We will construct handicap accessible ramps at the intersections, deficient sidewalks were upgraded in this area in 2006 with a sidewalk project.
- 6) Austin Utilities will replace the water main from Oakland Ave. to 1st Ave. and from 3rd Ave. to 6th Ave. Gas main will be reconstructed from Oakland Ave. to 1st Ave.

The estimated costs are as follows:

21 st Street NE – Service Drive	\$245,000
--	-----------

The total estimated costs would be funded as follows:

Assessment Bonds	\$225,000
Storm Water Utility District Fund 67	\$ 20,000

Moved by Council Member Austin, seconded by Council Member McAlister, adopting a resolution approving Project 4-A-10 and setting a hearing for February 16, 2010. 7-0.

Project 9-A-07 is found feasible and includes the following:
6th Street NW (Oakland Ave. to 4th Ave.) & 6th Street SW (1st Ave. to 4th Ave.)

6th Street NW is a concrete street urban design with integral curb at a width of 36 feet. 6th Street SW is an asphalt street urban design with vertical curb at a width of 30 feet. The existing 6th St.

pavements were constructed in the late 60’s and are classified as local/residential roadways. The proposed project will consist of the following:

6th Street NW

- 1) Remove the existing concrete pavement and replace with 4.5” of asphalt pavement, 6” of aggregate base.
- 2) The curb & gutter will remain in place with misc. spot repairs at the existing width of 36 feet. Existing indrives and boulevards will remain as well.

6th Street SW

- 1) Remove the existing asphalt pavement and replace with 4.5” of asphalt pavement, 6” of aggregate base.
- 2) The vertical curb will be removed and replaced with B624 curb & gutter at a width of 36 feet.

6th Street NW & SW

- 1) Upgrade the drainage infrastructure, which will include installing new catch basins, laterals and mains. A tile system will also be installed to improve subsurface drainage.
- 2) The sanitary sewer main will be inspected to determine any necessary repairs.
- 3) Provide handicap accessible intersections and upgrade existing deficient sidewalk.
- 4) Austin Utilities will replace the water main the entire length of the project.

The estimated costs are as follows:

6 th Street NW/SW	\$490,000
------------------------------	-----------

The total estimated costs would be funded as follows:

Assessment Bonds	\$400,000
WWTP Fund 61	\$ 50,000
Storm Water Utility District Fund 67	\$ 40,000

Mr. Lang stressed that the one block between the two one-ways will not be reconstructed.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution approving Project 9-A-07 and calling a hearing for February 16, 2010. 7-0. Carried.

Project 2-A-09 is found feasible and includes the following:

12th Avenue NE (17th St. to 21st St.)

This section of 12th Avenue is an asphalt street, rural design with ditches. Safety and drainage improvements were performed in 1998, along with an asphalt overlay. 12th Avenue NE is classified as a local street and is part of Austin’s Municipal State Aid System. The proposed project will consist of the following:

- 1) Remove the existing pavement, fill in the ditches and regrade the entire corridor.
- 2) The new section will consist of 6” of asphalt pavement, 8” of aggregate base and curb & gutter will be installed at the new width of 36 feet. This design width will allow for one lane of traffic in each direction and one parking lane on the south side.
- 3) Storm and sanitary sewer extension and upgrades will be constructed in designated areas along the project. A tile system will also be installed to improve subsurface drainage.
- 4) The street lighting will be reviewed to verify that they meet city standards.

- 5) A 10’ wide bituminous trail will be construction adjacent to the north side of the project from 17th St. to 21st St. This will make a connection from the City of Austin comprehensive trail system to the J.C. Hormel Nature Center.
- 6) Austin Utilities will upgrade the existing water main from 17th St. to 19th St. and from 20th St. to 21st St. The electric department will rebuild the existing overhead power line at the completion of the reconstruction project.

The estimated costs are as follows:

12 th Avenue NE	\$ 710,000
----------------------------	------------

The total estimated costs would be funded as follows:

Federal Highway Grant	\$ 520,000
Municipal State Aid	\$ 130,000
WWTP Fund 61	\$ 30,000
Storm Water Utility District Fund 67	\$ 30,000

The City has received a grant for the trail connection – Item #5.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution approving Project 2-A-09. 7-0. Carried.

Project 1-A-10 was found feasible and includes the following:

2nd Street NW (Oakland Ave. to 3rd Ave.)

This section of 2nd St. NW is a concrete street urban design with curb & gutter at a width of 44 feet. The current pavement was constructed in 1952. 2nd St. NW is classified as a local roadway and is part of the City’s Municipal State Aid System. This section of roadway carries approximately 1400 vehicles per day. The proposed project will consist of the following:

- 1) Remove the existing concrete pavement, curbs and boulevard sidewalk.
- 2) Replace with 8” concrete pavement, 6” aggregate base, integral B6 curb at the existing width of 44 feet. Indrives, boulevard sidewalks and grass boulevards will be replaced as well.
- 3) Upgrade the drainage infrastructure, which will include installing new catch basins, laterals and mains. A tile system will also be installed to improve subsurface drainage.
- 4) The sanitary sewer will be constructed from 1st Ave. to 2nd Ave. to service 2 midblock properties.
- 5) Provide handicap accessible intersections and upgrade existing deficient sidewalk.
- 6) Austin Utilities will replace the water main from Oakland Ave. to 2nd Ave. The electric department will rebuild one vault between 1st Ave. & 2nd Ave.

The estimated costs are as follows:

2 nd Street NW	\$375,000
---------------------------	-----------

The total estimated costs would be funded as follows:

Municipal State Aid	\$350,000
WWTP Fund 61	\$ 25,000

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution approving Project 1-A-10 and setting a hearing for February 16, 2010. 7-0. Carried.

Project 5-A-10 has been found feasible and includes the following:

14th Street NE (10th Place to Todd Park Trail)

This section of 14th Street NE is a concrete street urban design with integral curb at a width of 44 feet. The current pavement was constructed in 1992. 14th St. NE is classified as a collector roadway and is part of the City’s Municipal State Aid System. This section of roadway carries approximately 5000 vehicles per day, most of which is truck traffic.

The Engineering Dept. conducted a cost analysis for this section of roadway with 4 options. (see attached cost analysis) Based on the outcome of the cost analysis we would recommend Option #4. A basic overlay on that type of pavement would be expected to last 7-10 years. An overlay now and in 7-10 years would extend the life of the existing concrete pavement to a point in which it would be time for a full reconstruction. The cost of 2 overlays with a life cycle of 14-20 years would still be the most cost effective option. Based on option #4 the proposed project would consist of the following:

- 1) Mill the concrete pavement along the curb line to create a 2” match joint.
- 2) Place a bituminous overlay approximately 4” at the centerline and 2” at the match joint along the curb.
- 3) Adjust all manholes to the new finished grade and install I & I barriers in the sanitary sewer manholes.
- 4) Austin Utilities would not anticipate any work related to this project.

The estimated costs are as follows:

14 th Street NE	\$125,000
----------------------------	-----------

The total estimated costs would be funded as follows:

Municipal State Aid	\$115,000
WWTP Fund 61	\$ 10,000

This project will not be assessed so no hearing is required.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adopting a resolution approving Project 5-A-10. 7-0. Carried.

Project 7-A-10 has been found feasible and includes the following:

4th Avenue SW (8th St. to 12th St.)

This section of 4th Ave. SW is an asphalt street urban design with vertical curb at a width of 36 feet. The current pavement was constructed in 60’s. 4th Ave. SW is classified as a

collector roadway and is part of the City’s Municipal State Aid System. This section of roadway carries approximately 650 vehicles per day. The proposed project will consist of the following:

- 1) Remove the existing asphalt pavement, curb, indrives and grass boulevard.
- 2) Replace with 6” asphalt pavement, 8” aggregate base, B624 curb & gutter at a new width of 38 feet. Indrives and grass boulevards will be replaced as well.
- 3) Upgrade the drainage infrastructure, which will include installing new catch basins, laterals and mains. A tile system will also be installed to improve subsurface drainage.
- 4) The sanitary sewer main will be inspected to determine any necessary repairs.
- 5) Provide handicap accessible intersections and upgrade existing deficient sidewalk.
- 6) Austin Utilities will replace the water main the entire length and the electric department will rebuild the overhead pole line.

The estimated costs are as follows:

4 th Avenue SW	\$500,000
---------------------------	-----------

The total estimated costs would be funded as follows:

Municipal State Aid	\$300,000
WWTP Fund 61	\$100,000
Storm Water Utility District Fund 67	\$100,000

Moved by Council Member Austin, seconded by Council Member Pacholl, adopting a resolution approving Project 7-A-10 and calling a hearing for February 16, 2010. 7-0. Carried.

Project 2-A-10 has been found feasible and includes the following:

9th Avenue SW (4th St. to 12th St.)

This section of 9th Avenue SW is an asphalt street urban design with curb & gutter at a width of 44 feet. The current pavement was constructed in 1991. 4th Avenue SW is classified as a collector roadway and is part of the City’s Municipal State Aid System. This section of roadway carries approximately 2400 vehicles per day. The proposed project will consist of the following:

- 1) Mill off approximately 2” of the existing asphalt surface.
- 2) Place a bituminous overlay approximately 4” at the centerline and 2” at the match joint along the curb.
- 3) Adjust all manholes to the new finished grade.
- 4) Upgrade deficient sidewalk.
- 5) Austin Utilities would not anticipate any work related to this project.

The estimated costs are as follows:

9 th Avenue SW	\$225,000
---------------------------	-----------

The total estimated costs would be funded as follows:

Municipal State Aid	\$225,000
---------------------	-----------

Adjacent property owners for this project will be assessed only for any replacement of deficient sidewalk.

Moved by Council Member Pacholl, seconded by Council Member Austin, adopting a resolution approving Project 2-A-10 and calling a hearing for February 16, 2010. 7-0. Carried.

Project 2-C-10 has been found feasible and includes the following:

Main Street & Oakland Avenue Intersection

This intersection was constructed of 8” concrete pavement in 1979. Oakland Avenue is classified as a principal arterial roadway and Main Street is classified as a minor arterial roadway in City’s Municipal State Aid System. This intersection handles approximately 10,000 vehicles per day and is one of our most heavily travelled intersections. The proposed project will consist of the following:

- 1) Removal of the existing concrete pavement, curb & adjacent sidewalk
- 2) Construction of 8” concrete pavement, integral curb & sidewalk.
- 3) Construct handicap accessible ramps at the intersection.
- 4) Storm sewer infrastructure will be upgraded including mains, manholes and catch basins.
- 5) Construction of a new signal light with mast arms and improved pedestrian signals.
- 6) Austin Utilities would install a future electric duct.
- 7) The new taller signal light and mast arms with affect the Christmas decorations which drape over the intersection. We will review the new signal light design with MnDOT to determine what clearances are required and if the Christmas lighting will be allowed over the intersection. We will also review the existing decorations to determine if they can be mounted up higher allowing more clearance.

The estimated costs are as follows:

Main Street & Oakland Avenue	\$200,000
------------------------------	-----------

The total estimated costs would be funded as follows:

Municipal State Aid	\$200,000
---------------------	-----------

Mr. Lang requested Council not approve the project yet but rather hold a work session to have staff present options for the Christmas decorations and lighting.

Moved by Council Member Pacholl, seconded by Council Member Austin, tabling the matter to be discussed at a work session. Carried.

The 2009 audit quote from LAWCO is \$40,930 which is a 1% increase over last year's cost.

Moved by Council Member Austin, seconded by Council Member Pacholl, accepting the 2009 audit quote from LAWCO, LLP. Carried.

Moved by Council Member Austin, seconded by Council Member Pacholl, approving charge-offs of delinquent accounts. Carried.

Public Works Director Jon Erichson requested a carryover of funds from 2009 to 2010 for the Hwy 218 North pedestrian trail project (Target Store area) and also for a backup sewer pump to be used during flooding.

Moved by Council Member Austin, seconded by Council Member Pacholl, adopting a resolution approving a budget amendment to carry over funds for the Wastewater Treatment Plant and for the pedestrian trail. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, appointing Joyce Poshusta to the HRA Board. Carried.

Moved by Council Member Austin, seconded by Council Member Pacholl, appointing Marv Repinski to the HRA Board. Carried.

REPORTS:

Council Member McAlister requested the list of council member committee appointments. Mayor Stiehm requested copies be made available this evening and said appointments would be made during the upcoming retreat.

Council Member Clennon thanked everyone for their support for 2009, her first year in office. Addressing criticism she has received regarding her 'nay' vote for the proposed revision of the City Charter, Council Member Clennon said that since last January, Council has not been informed of the City Charter Commission's decisions and only met jointly with City Council November 30 for the first time.

Council Member Clennon also noted that she believes matters should have been discussed at a work session instead of going out for dinner.

Clennon said we have not had a brainstorming session despite repeatedly asking for one.

Council Member Clennon added that she has not been to the Charter Commission meetings on advisement from the League of Minnesota Cities that they would have to be a posted council meeting.

City Attorney David Hoversten said the Charter Commission was not obligated to invite discussion from council members at its meetings, just as this council has the policy of hearing from others on items other than public hearings, which are required to be open to all. The Council solicits information; likewise with the Charter Commission when they asked questions of the council members to hear their opinions and leanings. He said the advice Council Member Clennon received from the League may have depended on the comments she provided, adding that the League is not always privy to our meetings and how they are conducted. Council Member Pacholl added that the Charter Commission mostly discussed amongst themselves, and council members talked when asked.

Council Member-at-Large Anderson reported that the newest CVB guide has been published and is available.

Community Development Director Craig Hoium invited Council to attend the January 12th Planning Commission meeting when they will revisit the wind energy conversion system.

The SEMLM Regional Meeting will be held January 27 at the Rochester Convention Center.

Moved by Council Member Austin, seconded by Council Member King, adjourning the meeting to January 19, 2010.

Adjourned: 6:06 pm

Approved: January 19, 2010

Mayor: _____

City Recorder: _____