

M I N U T E S
CITY COUNCIL MEETING
November 4, 2013
5:30 PM
Council Chambers

MEMBERS PRESENT: Mayor Stiehm. Council Members Judy Enright, Steve King, Michael Jordal, Roger Boughton, Jeremy Carolan, Jeff Austin and Council Member-at-Large Janet Anderson

MEMBERS ABSENT: None.

STAFF PRESENT: City Administrator Jim Hurm, Director of Administrative Services Tom Dankert, Community Development Director Craig Hoium, Public Works Director Steven Lang, City Attorney David Hoversten, Captain David McKichan, Library Director Ann Hokanson, Park and Rec Director Kim Underwood and City Clerk Ann Dunlap

OTHERS PRESENT: Austin Daily Herald, Marv Repinski, Matt Simonson, Otto Volkert, Kristen Olson, Vision 2020 representatives, Public

Mayor Stiehm called the meeting to order at 5:30 pm.

Added to the agenda:

Under Consent Agenda Licenses:
Concrete: Landmark Concrete, LLC, 117 E. Main Street, Clarks Grove
Food: Lucky Brothers Market, 103 W. Oakland Avenue

Moved by Council Member Austin, seconded by Council Member King, approving the agenda as amended. Carried.

Moved by Council Member Boughton, seconded by Council Member-at-Large Anderson, approving the minutes of October 21, 2013. Carried.

CITIZENS ADDRESSING THE COUNCIL

Matt Simonson addressed the Council with his opinion on flooding in Austin. He felt that the City has protected businesses but hasn't done enough to protect homes.

AWARDS AND RECOGNITIONS

Kristen Olson, 1204 10th St NW, requested the Council's support of Vision 2020's Spread the Spirit Week. The community is encouraged to create a positive community spirit by dedicating service to others.

Mayor Stiehm read a proclamation declaring November 18-23, 2013 as “Spread the Spirit Week” in conjunction with the Vision 2020 Community Pride and Spirit Committee and presented the proclamation to Kristen Olson. Participants can then share their experiences at www.vision2020austin.com/spreadthespirit.

CITIZENS ADDRESSING THE COUNCIL-ADDITIONAL

Marv Repinski expressed his concerns for Loren Bellrichard’s welfare. He also stated he had met the owner of the Bank building on Main Street and discussed with him about donating the building to the City of Austin.

Otto Volkert, 1802 3rd Avenue NW, addressed the Council with concerns about multiple families living in single family homes in Austin. He would like to see more apartments built and enforce present ordinances on housing.

CONSENT AGENDA

Moved by Council Member Austin, seconded by Council Member King, approving the consent agenda as follows:

Licenses:

Temporary 3.2 Beer: Austin Jaycees at the Paramount Theater-November 15th

Master Plumber: Hamilton Plumbing and Heating, LLC, 2514 Pineview Road
SE, Rochester

Food: Austins, LLC d/b/a Barley’s Family Restaurant, 1207 North Main
Street

Tree Removal: A+ Construction and Landscaping, 75326 147th Street,
Glenville

Concrete: Landmark Concrete, LLC, 117 E. Main Street, Clarks Grove

Food: Lucky Brothers Market, 103 W. Oakland Avenue

Claims:

- a. Pre-list of bills.
- b. Associated Bank, NA v. Mark O. Reeve, Cathie R. Reeve, Ivan B. Witt, Mary F. Witt, Reeve Chiropractic Clinic, PA, City of Austin. This claim was forwarded to the City Attorney to protect the City’s interest.

Carried.

PUBLIC HEARINGS: None.

BIDS AND AWARDS:

Director of Public Works Steven Lang presented on the Riverside Arena Rubber Membrane Roof Replacement. In 2012, the main portion of Riverside Arena’s roof was replaced with proceeds from wind and hail damage. The rubber membrane roof is now shrinking and pulling away from the building face on the South end of the building allowing water to enter between the

flat roof and the building wall. In the 2013 Capital Improvement Plan, \$60,000 was designated for air conditioning improvements. These improvements will wait until the main system upgrade in 2015, therefore, those funds could be allocated for the roof repair. In addition, there are some leaks and repairs that need to be addressed on the West flat roof.

The following bids were received:

<u>Contractor</u>	<u>Bid Amount</u>
Kiker Brothers, Inc.	\$31,000.00
WHV, Inc.	\$34,060.00
Saratoga Roofing	\$55,000.00

Kiker Brothers, Inc. is the lowest responsible bidder and it is recommended the bid be awarded to them.

Moved by Council Member Austin, seconded by Council Member Enright, approving a contract with Kiker Brothers, Inc. for Riverside Area rubber membrane roof replacement. Carried 7-0.

PETITIONS AND REQUESTS:

Director of Administrative Services Tom Dankert presented the Liability Coverage Waiver Form from the League of Minnesota Cities. By not waiving the monetary limits on municipal tort liability we would affirm that the City accepts the liability limits of \$500,000/\$1,500,000 from the League of Minnesota Cities Insurance Trust.

Council Member Boughton inquired if the City could set different limits?

Tom Dankert replied that the City can set higher limits but cannot lower the limit amount.

Moved by Council Member-at-Large Anderson, seconded by Council Member Enright, authorizing the City Recorder to sign a League of Minnesota Cities insurance waiver stating the City does not waive statutory tort limits. Carried.

Director of Administrative Services Tom Dankert presented Sears' request to donate to the fire Department through their holiday charity campaign. Sears will be selling promotional items with a portion of the profit from that item donated through the campaign. Customers will also be given the option to donate upon checkout.

Moved by Council Member Enright, seconded by Council Member King, approving Sears "Salute to Local Heroes" holiday charity campaign with donations being made to the Fire Department. Carried.

City Clerk Ann Dunlap presented the two proposed liquor ordinances that were prepared by attorney David Hoversten and discussed in the October 21, 2013 work session.

The first was an ordinance to amend the Austin City Code to provide that a person may hold one off-sale liquor license as well as one on-sale license.

Moved by Council Member Austin, seconded by Council Member Boughton, for preparation of the ordinance. Carried.

Moved by Council Member Austin, seconded by Council Member Boughton, for adoption and publication of ordinance. Carried 7-0.

The second was an ordinance to amend the Austin City Code to provide for a liquor caterer's registration and event permits.

Council Member Carolan inquired what the current liquor caterer fee is. Ann Dunlap replied there isn't a current license of this type.

Moved by Council Member Enright, seconded by Council Member Austin, for preparation of the ordinance. Carried.

Moved by Council Member Austin, seconded by Council Member Enright, for adoption and publication of the ordinance. Carried 7-0.

City Clerk Ann Dunlap presented the proposed liquor catering annual license fee of \$200 per year. Based on research of other Minnesota cities, this appeared to be a reasonable fee for the license. Most cities charge at least \$250 per year with some cities charging \$250 per event.

Moved by Council Member Austin, seconded by Council Member Enright, establishing license fee for liquor catering license. Carried 7-0.

Director of Public Works Steven Lang presented on the request for a temporary employee in the Sewer Department. A Sewer Department employee suffered an injury on January 30, 2013 and has been unable to return to work. The department is a key group that assists in snow plowing efforts and it is important to fill this position on a temporary basis as the winter approaches.

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, authorizing hiring of temporary sewer department position. Carried.

Director of Public Works Steven Lang presented on an engineering services request on the Turtle Creek 1 sanitary sewer project. The annexation is currently proposed and being voted on by the Township. However, the project needs to keep moving forward as there is work that must be completed prior to snowfall. The Engineering Department requested proposals from engineering firms for the following design services: topographic surveys, preliminary design with cost estimates, and final design with cost estimates.

The following proposals were received:

- Bolton & Menk \$27,950
- Jones, Haugh & Smith, Inc. \$29,650
- Yaggy Colby Associates \$38,610
- Stantec \$44,679

Steven Lang recommended awarding the bid to Bolton & Menk, Inc.

Moved by Council Member King, seconded by Council Member Enright, approving a contract with Bolton & Menk, Inc. for engineering services on Turtle Creek 1 sanitary sewer project. Carried 7-0.

Moved by Council Member Austin, seconded by Council Member King, granting the Planning and Zoning Department the power to contract for the removal of refuse and junk/and or illegally stored vehicles at 1007 11th Street NW, Telles Property. Carried.

(Community Development Director Craig Hoium stated items 14b, 14c and 14d have been resolved and did not require Council action.)

Moved by Council Member Austin, seconded by Council Member Enright, granting the Planning and Zoning Department the power to contract for the removal of refuse and junk/and or illegally stored vehicles at 1003 21st Avenue SW, Linquist Property. Carried.

Community Development Director Craig Hoium presented on the request for a minor subdivision petitioned by Charlie Fawver. The property in question is located on the South side of 8th Avenue NW, just South of Riverland Community College. The Petitioner would like to divide a single parcel into two separate parcels. He is currently selling Parcel B, which has the structure on it, and would like to retain Parcel A for future development. Austin Utilities has requested to include a 10 foot utility easement on the South boundary of 8th Avenue NW.

Council Member Enright inquired if this was the house that just sold? Craig Hoium replied that the property is under contract but the approval of this request is necessary to finalize the deal.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, approving a minor subdivision of property on the 1500 block of 8th Avenue NW, petitioned by Charlie Fawver. Carried.

Community Development Director Craig Hoium presented on the off street parking appeal submitted by the Austin Daily Herald. The Herald is proposing to lease 34 stalls to Mower County to accommodate the increased staff from moving Human Services downtown.

Moved by Council Member Enright, seconded by Council Member Carolan, approving an off street parking appeal submitted by the Austin Daily Herald. Carried.

Director of Public Works Steven Lang requested proposals from engineering firms for the following construction inspection services on the North Main Flood Control Project Phase 3: day to day on-site project inspection; project management, including contractor coordination, plan interpretation, change order evaluation and quantity measurements; and as-built measurements and drawing modifications. The construction inspection services will be covered 50% by DNR Grant and 50% by Local Option Sales Tax.

The following proposals were received:

- Yaggy Colby Associates \$233,545
- SEH, Inc. \$256,250
- Jones, Haugh & Smith, Inc. Not Available

Steven Lang has met with the proposed candidate from Yaggy Colby Associates and the candidate appears to be very experienced and knowledgeable. Therefore, the Engineering Department recommends extending the contract to Yaggy Colby Associates.

Moved by Council Member King, seconded by Council Member Austin, approving a contract with Yaggy Colby Associates for construction inspection services on the North Main Flood Control Project Phase 3. Carried 7-0.

Moved by Council Member Austin, seconded by Council Member Boughton, approving a grant application on behalf of the HRA for a Small Cities Grant through the Economic and Development Authority. Carried 7-0.

REPORTS

Council Member Enright attended an AMCAT meeting. AMCAT ridership has increased by 6.4% this year. The new board for the transit will consist of representatives from Mower, Steele and Freeborn counties. She also reminded the citizens to vote tomorrow.

Council Member Austin clarified the HRA Grant request that was listed on the agenda. The City is acting as a conduit for the HRA to apply for a grant through the Economic Development Authority. This grant will target to improve homes east of the Hormel plant.

Council Member-at-Large Anderson reported she and Council Member Boughton attended the Southeast Minnesota League of Municipalities meeting the week prior. She also is working with the Paint the Town Pink Committee and will be presenting information on that project soon.

Council Member Jordal reported he attended the Downtown Austin Fall Festival and thought it was a success.

Moved by Council Member Austin, seconded by Council Member Enright, adjourning the meeting to November 18, 2013. Carried.

Adjourned: 6:02 p.m.

Approved: November 18, 2013

Mayor: _____

City Recorder: _____