

M I N U T E S
CITY COUNCIL MEETING
Monday, July 21, 2014
5:30 PM
Council Chambers

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

MEMBERS ABSENT: Council Member Carolan

STAFF PRESENT: Director of Administrative Services Tom Dankert, Public Works Director Steven Lang, City Attorney David Hoversten, Police Chief Brian Krueger, Fire Chief Jim McCoy, Park and Rec Director Kim Underwood and City Clerk Ann Kasel

OTHERS PRESENT: Elizabeth Wefel, Matt Simonson, Laura Helle, Jennie Knoebel, Post Bulletin, Austin Daily Herald, Public

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

Added to the agenda:

21. Approving an ICM agreement with Bellisio Foods. (Additional backup)

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 July 7, 2014. Carried.

CITIZENS ADDRESSING THE COUNCIL

Matt Simonson expressed his concerns about flooding issues in Austin.

Elizabeth Wefel with the Coalition of Greater Minnesota Cities presented a legislative session report from 2014. The Coalition represents 85 cities throughout the State on various issues, mainly lobbying for local government aid. The main goal of the Coalition during the legislative session was to return LGA levels to 2002 levels. Austin received a boost of about \$59,000 for 2015. Another issue the Coalition was lobbying for was rural broadband which would make the internet more accessible to rural areas.

AWARDS AND RECOGNITIONS

Mayor Stiehm read a proclamation declaring July “Speed Awareness Month.” He encouraged all citizens to obey all traffic signs and laws.

CONSENT AGENDA

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

*Licenses:

Massage Therapist: Tara Gulbertson, 628 5th Street NW, Faribault

Temporary Food: Relay for Life of Mower County at the Veteran’s Pavilion
July 26, 2014

Temporary Food: West Austin Outlet, 2909 W. Oakland Avenue, July 25-27,
2014

*Claims:

a. Pre-list of bills

b. Financial, Investment and credit card reports.

c. Claims:

Michael Steichen, 511 7th Avenue NW, this claim has been
forwarded to the City Attorney to protect the City’s interest.

Ronnie Christianson, 700 18th Street SE, this claim has been
forwarded to the City Attorney to protect the City’s interest.

| Carried.

BID OPENINGS AND AWARDS:

The City received bids for repairs at the Mower County Senior Center. Director of Administrative Services Tom Dankert stated the Senior Center sustained damage from a car driving into an exterior wall in June. There will be a small portion of the total bill that the City is responsible for due to depreciation on the building. The bids received were as follows:

Bidder	Bid
Joseph Company	\$20,830
Wagner Construction Company	\$22,000

| Moved by Council Member King, seconded by Council Member Austin, adopting a resolution awarding the bid for repairs at the Senior Center to the Joseph Company. Carried 6-0.

PUBLIC HEARINGS

A public hearing was held on a variance from the Austin City Zoning Code governing minimum yard setbacks and encroachments requested by Brent Fankhauser. Director of Public Works

Steven Lang presented on the matter stating Mr. Fankhauser is requesting a 5.5 foot variance from the minimum front yard setback of 25 feet for the placement of a proposed roof covered front yard deck for property located at 608 6th Avenue SW. The existing setback is 24 feet 4 inches and the property owner would like to build a 5 foot covered deck. The Planning Commission reviewed the matter on July 15, 2014 and recommended approval by a 5-0 vote.

Moved by Council Member King, seconded by Council Member Boughton, approving a 5.5 foot variance from the minimum front yard setback of 25 feet for the placement of a proposed roof covered front yard deck requested by Brent Fankhauser for the property located at 608 6th Avenue SW. Carried.

(The Petitioner's name and street address have been corrected from the inaccurate backup memo provided)

PETITIONS AND REQUESTS

Director of Public Works Steven Lang presented the proposed sewer availability access charge ordinance. The ordinance would require new construction and annexations to pay upfront fees to hook into the sewer system. The fees would be broken down into three components: a Sanitary Sewer Permit Fee, a Sewer Lateral Development Charge and Sewer Service Charge. The rates would be evaluated and set by Council on a yearly basis.

Council Member Boughton asked if the Lansing residents could go back to assessments if desired.

Mr. Lang stated that there were 209 parcels in the original Lansing Township annexation, of which there were 30 that were removed from the assessment group. Those 30 that were removed would have to hook up under the sewer access charge when their system is non-compliant as determined by the Mower County septic inspector.

Mayor Stiehm stated this is the most difficult issue the Council has had to face since he has been mayor. The City has tried to be as fair and respectful to the residents as possible throughout the issue.

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

Moved by Council Member Austin, seconded by Council Member King, for adoption and publication of the ordinance. Carried 6-0.

Moved by Council Member King, seconded by Council Member-at-Large Anderson, approving \$4,145 from contingency funds for concrete work at the Hardy Geranium. Carried 4-2 with Council Members Jordal and Austin voting nay.

Police Chief Brian Krueger requested the Council participate in an exchange with Riverland Community College's Law Enforcement Program and swap a 2011 Crown Victoria squad car for

a 1994 and a 2004 Crown Victoria. The exchange would be part of an ongoing mutually beneficial partnership.

Moved by Council Member-at-Large Anderson, seconded by Council Member Enright, authorizing the City to participate in an exchange with Riverland Community College's Law Enforcement Program and exchange a 2011 Crown Victoria for a 1994 and a 2004 Crown Victoria. Carried.

Fire Chief Jim McCoy requested Council approval to sell three XTL 1500 radios and one XTL 2500 radio that no longer have use to the Austin Fire Department. He requested the items be sold on the Fire Safety USA website.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, authorizing the Austin Fire Department to sell three XTL 1500 radios and one XTL 2500 Radio. Carried.

Director of Administrative Services Tom Dankert presented the proposed contract for redevelopment with Hormel Foods for the new Spam Museum. The City has worked with Hormel Foods, the HRA and Port Authority to come up with an agreement acceptable to all parties. The City's responsibilities include opening up Third Avenue and addressing the parking situation.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution approving the Contract for Private Redevelopment with Hormel Foods for the Spam Museum. Carried 6-0.

Director of Administrative Services Tom Dankert presented on behalf of Jon Erichson requesting that the City apply for a grant that would help fund the redevelopment costs to open up 3rd Avenue for the Spam museum. The grant would provide for a 50/50 split of costs with the City.

Moved by Council Member Boughton, seconded by Council Member Austin, adopting a resolution approving a redevelopment grant application from the Minnesota Department of Employment and Economic Development. Carried 6-0.

Director of Administrative Services Tom Dankert requested the Council accept an energy conservation proposal from General Energy Brokerage & Consulting (GEBC) at \$17,700 for the first year. The proposal would require limited staff time and includes an additional option for review of facilities and equipment for \$7,100 in addition to behavior based conservation.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adopting a resolution authorizing a one year contract with General Energy Brokerage & Consulting for energy conservation and review of facilities and equipment with funding coming from contingency funds. Carried 6-0.

Director of Administrative Services Tom Dankert requested the Council approve a revised resolution setting wage rates due to the minimum wage increasing from \$7.25 to \$8.00 per hour on August 1, 2014.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution setting positions and policy for the administration of wage rates of seasonal, temporary and part-time positions not covered by a labor agreement. Carried 6-0.

Police Chief Brian Krueger requested the Council approve a letter of agreement with Independent School District #492 for police liaison services. The agreement is slightly different in that the School District will cover 80%, instead of 83%, of the salary and benefit costs.

Moved by Council Member Boughton, seconded by Council Member Enright, adopting a resolution approving a letter of agreement with Independent School District #492 for police liaison services. Carried 6-0.

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, approving an event application for the Color Dash 5k on August 16, 2014. Carried.

Moved by Council Member Enright, seconded by Council Member King, approving an event application for the Austin Artworks Center Grand Opening on August 21, 2014. Carried.

Moved by Council Member Boughton, seconded by Council Member Enright, approving an event application for the Austin Artworks Center on August 22, 2014. Carried.

Moved by Council Member Enright, seconded by Council Member King, approving an event application for the Mower County Relay for Life on July 26 and July 27th, 2014. Carried.

Director of Public Works Steven Lang presented a proposed ICM agreement with Bellisio Foods which would run for one year, until June 30, 2015. The terms would be the same as the previous year's agreement.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution approving an ICM agreement with Bellisio Foods. Carried 6-0.

Director of Public Works Steven Lang presented a request from the Mower County Fair Board for services from the City in connection with the Mower County Fair.

Moved by Council Member Boughton, seconded by Council Member King, approving a cooperative agreement with the Mower County Fair Board. Carried.

Moved by Council Member Austin, seconded by Council Member Enright, resolving the City Council into the Board of Appeals. Carried.

Director of Public Works Steven Lang presented a sign appeal request from Hibbett Sports and Precision Signs for a proposed sign on an exterior wall that does not face the public right of way.

Hibbett Sports is being constructed near Walmart and are proposing two signs, one of which does not face a public right of way. The matter was approved by Planning Commission with the recommended that the sign on the east exterior wall would be illuminated only during business hours.

Moved by Council Member Enright, seconded by Council Member Austin, approving a sign appeal request from Precision Signs and Hibbett Sports subject to the sign on the east exterior wall would be illuminated only during business hours. Carried.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adjourning the Board of Appeals back into the City Council. Carried.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution establishing and fixing license fees and miscellaneous operational fees. Carried 6-0.

Moved by Council Member Austin, seconded by Council Member Enright, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1300 9th Avenue SW, Felt Property. Carried.

Duane Felt addressed the Council stating the property was his late father's and at the advice of an attorney he is going to let the property go into tax forfeiture. He questioned what is going to happen until the forfeiture happens and will he receive letters continually. He noted that people dump their garbage on the property.

Director of Public Works Steven Lang stated the City needs to continue cleaning up the property as it is a public hazard.

Moved by Council Member Austin, seconded by Council Member Enright, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 109 16th Avenue SW, Turtle Creek Land Co. Property. Carried.

REPORTS

Council Member Enright recently attended the HRA board meeting and the Downtown Master Plan meetings. She noted she was happy to see many businesses and members of the public in attendance.

Council Member Austin stated he attended the Downtown Master Plan meetings and found them interesting and informative.

Council Member-at-Large Anderson also attended the HRA board meeting and the Downtown Master Plan meetings along with the Sustainability Task Force meeting. She thanked Steven Lang for the additional mosquito spray application.

Director of Administrative Services Tom Dankert noted the Wildwood Park neighborhood discussion of the work session would take place in the Council Chambers then the remainder of the meeting would be moved to the conference room.

Mayor Stiehm noted he recently had a fire at his house and thanked the community for their support. He also expressed his appreciation for the Austin Fire Department.

Moved by Council Member Austin, seconded by Council Member King, adjourning the meeting to August 4, 2014. Carried.

Adjourned: 6:19 pm

Approved: August 4, 2014

Mayor: _____

City Recorder: _____