

M I N U T E S  
CITY COUNCIL MEETING  
April 16, 2018  
5:30 PM  
Council Chambers

MEMBERS PRESENT: Mayor Stiehm. Council Members Jeff Austin, Judy Enright, Laura Helle, Paul Fischer, Steve King, David Hagen and Council Member-at-Large Janet Anderson

MEMBERS ABSENT:

STAFF PRESENT: City Administrator Craig Clark, Director of Administrative Services Tom Dankert, Public Works Director Steven Lang, Fire Chief Jim McCoy, City Attorney David Hoversten, Police Chief Brian Krueger, Park and Rec Director Kim Underwood, Planning and Zoning Administrator Holly Wallace, Library Director Julie Clinefelter and City Clerk Ann Kasel

OTHERS PRESENT: Kristofer Keltgen, Corey Brunton, Chichi Mosher, Marvin Repinski, Kelly Mosher, John Lembrick, Joel Reiman, Rick Hudson, Kyle Keenan, Adam Ansorge, Yvonne Riley, Carol Lembrick, KAUS Radio, Austin Daily Herald, Public

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

Moved by Council Member Enright, seconded by Council Member King, approving the agenda. Carried.

Moved by Council Member Enright, seconded by Council Member Fischer, approving the Council minutes from April 2, 2018. Carried.

#### AWARDS, RECOGNITIONS AND REPORTS

Mayor Stiehm read a proclamation declaring April 27, 2018 as Arbor day and the month of May, 2018 as Arbor Month.

#### CONSENT AGENDA

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

##### Licenses:

Exempt Gambling (raffle): United Catholic Schools Foundation on June 15, 2018

Master Plumber (address change): David C. Patterson Plumbing, 1204 10<sup>th</sup> Drive SE

Temporary Food: Regals Concessions, 1510 10<sup>th</sup> Street SE, Rochester on July 3-4, 2018

Claims:

- a. Pre-list of bills
- b. Investment Report.
- c. Taylor Maxfield, 1704 1<sup>st</sup> Avenue NE. The matter was forwarded to the City Attorney to protect the City's interest.

Event Applications:

Memorial Day Parade on May 28, 2018

Carried.

*Mayor Stiehm moved the Gold Cross Ambulance rezoning request to the beginning of the agenda.*

Planning and Zoning Administrator Holly Wallace presented a rezoning request from Gold Cross Ambulance. They would like to rezone a property located at 1400 4<sup>th</sup> Street NW from a "R-1" single family residential to "B-2" commercial to accommodate a new ambulance service building. The Planning Commission reviewed the matter at their April 10, 2018 meeting and recommended the denial of the request by a 9-0 vote because the proposed land use change is not consistent with the Comprehensive plan and the use is not compatible with surrounding land uses.

Kristofer Keltgen, Gold Cross Ambulance Service, stated the ambulance service has served the community since 1996. He stated they have been actively pursuing a new location for their business for the last 12-18 months. Their current facility is in poor condition and is located in a less than ideal location to provide services to the community. They also do not have enough room for adequate ambulances or personnel to properly staff their business. These factors are creating significant challenges to provide a high level of services to the Austin community. They anticipate needing to hire 8 people in the coming years.

He stated they have explored numerous sites around the community and have determined the 4<sup>th</sup> Street NW site is the ideal location to build the proposed \$2 million building. The site is ideally situated in the community for optimal response times with easy access to the hospital and the interstate. He stated it is a great advantage to be able to access the hospital's computer network.

Mr. Keltgen reviewed the site layout and stated the building would act as a buffer between the residential areas and the commercial businesses in the area. There would be large trees and shrubs to minimize noise. He also reviewed the condition of the current house on the property stating there are holes in the foundation and roof and the property is in poor condition. They have entered into a purchase agreement for the property which is contingent upon the successful rezoning of the property and closing by May 15<sup>th</sup>. He stated the funding is available now and it is important to rezone the property at the meeting so the purchase agreement can be met and the project moved forward. He added that if he had known the level of opposition in the community he would have presented the project much sooner.

Mayor Stiehm asked how many calls per day the ambulance service receives.

Mr. Keltgen stated they average 5.25 calls per 24-hour period, roughly half of which do not require lights and sirens.

Council Member Helle stated a conditional use permit would be more appropriate for this project and the project should have been brought forward on that type of action.

Mr. Keltgen stated City staff recommended moving forward with a rezoning request rather than a conditional use permit.

Police Chief Brian Krueger stated there have been concerns about ambulance response times in the last few years and he stated their facility is in poor condition. A new building with additional staffing would improve response times to emergencies. He added that he feels the location is a good fit for the ambulance service.

Corey Brunton, the architect on the project, stated he has experience in designing public emergency facilities and this property would be a good fit for the ambulance service. The building would be designed so that it blends in with residential character as much as possible and the company is willing to accommodate any screening or planting requests from the City.

Chichi Mosher, 1304 4<sup>th</sup> Street NW, stated she has lived next to the proposed site since 1996. She is opposed to the project due to the potential for decreased property values, increased traffic and increased noise. She would like to see the ambulance relocated to a commercial area.

Marvin Repinski, stated he believes there are other areas of the city that would suit the ambulances needs.

Kelly Mosher, 1304 4<sup>th</sup> Street NW, asked if people are waiting 20 minutes for ambulances to respond.

Police Chief Krueger stated the Police Department recently met with supervisors for Gold Cross and there were six calls where the ambulances didn't arrive from 20-33 minutes after the call.

John Lembrick, 1301 3<sup>rd</sup> Street NW, stated he is concerned about his property value decreasing due to the property development.

Joel Reiman, 1404 2<sup>nd</sup> Street NW, encouraged Mayo Clinic to engage the community early on with projects.

Rick Hudson, 1304 3<sup>rd</sup> Street NW, inquired if the city Council was elected.

Kyle Keenan, 310 12<sup>th</sup> Place NW, spoke in opposition to the project and stated it should be located in a different location.

Council Member Helle stated she would have liked Gold Cross to ask for a conditional use permit then the Planning and Zoning department would have more authority to regulate the use of the property.

Ms. Wallace stated a conditional use permit would allow the development in the district with conditions for as long as the business type is located there. If there were a violation on the property then a public hearing could be held.

Mayor Stiehm stated none of the neighbor's concerns would be alleviated by a conditional use permit.

Council Member Austin stated the conditional use permit is not going to change any of the concerns with this project. He stated on his twelve years on Council, the Council has only deviated from the Planning Commission's recommendation one time. He felt the proposed project would be an improvement to the property rather than a rundown house.

Adam Ansorge, 300 14<sup>th</sup> Place NW, felt the project would create additional traffic on one of the busiest streets in town.

Yvonne Riley, 1302 4<sup>th</sup> Street NW, would like see four lanes on 4<sup>th</sup> Street NW.

Council Member King stated that 4<sup>th</sup> Street has very heavy traffic and felt that it isn't the best place for the project. He stated he is conflicted because the Planning Commission denied the rezoning but the Police Chief spoke in support of it.

Carol Lembrick, 1301 3<sup>rd</sup> Street NW, stated there is helicopter noise near the hotel and she does not want any additional noise in the area.

Council Member Fischer stated he doesn't think traffic is going to be an issue.

Moved by Council Member King, seconded by Council Member Enright, to deny the rezoning request petitioned by Gold Cross Ambulance. Carried.

Mayor Stiehm called for a short break at 7:15 p.m.

Mayor Stiehm reconvened the meeting at 7:21 p.m.

## PUBLIC HEARING

A public hearing was held for a tax abatement request from Turtle Creek Construction. The company plans to build a property at 1400 29<sup>th</sup> Street SW and are requesting a five-year tax abatement in the approximate amount of \$8,879.

City Administrator Craig Clark stated he received an anonymous letter opposing the use of public funds for housing tax abatements.

There were no public comments.

Moved by Council Member King, seconded by Council Member Austin, approving a five-year tax abatement for Turtle Creek Construction. Carried 7-0.

#### BID OPENINGS AND AWARDS:

The City received the following bids for asphalt street reconstruction on 19<sup>th</sup> Street NE:

Contractor	Bid Amount
Hansen Hauling & Excavating, Inc.	\$1,334,975.25
Ulland Brothers, Inc.	\$1,422,867.50

Public Works Director Steven Lang stated work will consist of pavement removal, sanitary sewer and storm improvements, asphalt paving and sidewalk replacement. He recommended awarding the bid to Hansen Hauling & Excavating, Inc.

Moved by Council Member Hagen, seconded by Council Member Fischer, adopting a resolution approving a contract with Hansen Hauling & Excavating, Inc. for asphalt street reconstruction on 19<sup>th</sup> Street NE. Carried 7-0.

The City received the following bids for asphalt street reconstruction on 5<sup>th</sup> Street NW and 12<sup>th</sup> Avenue NW:

Contractor	Bid Amount
Hansen Hauling & Excavating, Inc.	\$1,043,310.62
Ulland Brothers, Inc.	\$1,088,199.62

Public Works Director Steven Lang stated work will consist of pavement removal, sanitary sewer and storm improvements, asphalt paving and sidewalk replacement. He recommended awarding the bid to Hansen Hauling & Excavating, Inc.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution approving a contract with Hansen Hauling & Excavating, Inc. for asphalt street reconstruction on 5<sup>th</sup> Street NW and 12<sup>th</sup> Avenue NW. Carried 7-0.

#### PETITIONS AND REQUESTS:

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution accepting donations to the City of Austin. Carried 7-0.

Mark Nibaur requested the Council approve the contamination grant clean up application submitted to the Department of Employment and Economic Development for the cleanup of the community recreation site. The grant would cover approximately \$262,500 of the cleanup costs.

Moved by Council Member-at-Large Anderson, seconded by Council Member Hagen, adopting a resolution approving a Contamination Cleanup Grant with DEED. Carried 7-0.

Director of Administrative Services Tom Dankert requested the Council approve a contract with Country Acoustics in the amount of \$8,775 for the replacement of ceiling tiles in selected parts of City Hall.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution approving a contract for ceiling tile replacement in City Hall with Country Acoustics. Carried 7-0.

Human Resources Director Trish Wiechmann requested the Council approve a revised agreement for the recording of public meetings. The contract reflects an increase of .50 cents per hour resulting in a new wage of \$11.75 per hour.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution approving a revised agreement for public meeting recording. Carried 7-0.

Human Resources Director Trish Wiechmann requested the Council approve a revised part-time firefighter policy. The updated policy includes a language change for exempt employees who are also paid-on call firefighters.

Moved by Council Member-at-Large Anderson, seconded by Council Member Hagen, approving a revised part-time firefighter policy. Carried 7-0.

Planning and Zoning Administrator Holly Wallace requested the Council rezone the former power plant site from "I-1" limited industrial to "B-3" central business district to accommodate the new community recreation center. The Planning Commission reviewed the matter at their April 10, 2018 meeting and recommended approval by a 9-0 vote.

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

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

Planning and Zoning Administrator Holly Wallace requested the Council approve a preliminary and final plat for the Downtown Plant plat. The Planning Commission reviewed the matter at their April 10, 2018 meeting and recommended approval of the plat by a 9-0 vote.

Moved by Council Member King, seconded by Council Member Fischer, adopting a resolution approving the final plat for the Downtown Plant. Carried 7-0.

Planning and Zoning Administrator Holly Wallace presented a parking appeal for the number of off street parking stalls required for the new community recreation center. The parking requirement for the project is 208 on site stalls. The project has room for 116 stalls on site and

plans to utilize the Riverside Arena parking lot for the remainder of the requirement. The Planning Commission reviewed the matter at their April 10, 2018 meeting and recommended approval of the parking appeal by a 9-0 vote.

Moved by Council Member Hagen, seconded by Council Member Fischer, approving a parking appeal petitioned by BWBR on behalf of the City of Austin and Austin Utilities for the community recreation center project. Carried.

Planning and Zoning Administrator Holly Wallace requested the Council approve an annexation agreement for the Alano Society of Austin. The property is in Austin Township and plans to hook into the City sewer system once annexed. She noted another property to the South may also request annexation.

Moved by Council Member Hagen, seconded by Council Member Enright, adopting a resolution approving an annexation request from the Alano Society of Austin. Carried 7-0.

Park and Recreation Director Kim Underwood requested the Council approve a resolution in support of the Jay C. Hormel Nature Center being designated as a regional park.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adopting a resolution in support of the Jay C. Hormel Nature Center being designated as a regional park or trail destination in greater Minnesota. Carried 7-0.

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 1608 3<sup>rd</sup> Avenue NW, Entrust Group Property. Carried.

Moved by Council Member Enright, seconded by Council Member King, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1024 2<sup>nd</sup> Ave NE, Kahn Property. Carried.

Moved by Council Member King, seconded by Council Member Austin, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1108 2<sup>nd</sup> Avenue NW, Oasis Property. Carried.

## REPORTS

Council Member-at-Large Anderson stated the Taste of Nations will be held on April 21, 2018 from 11-2 at the Austin Armory.

City Administrator Craig Clark stated a Welcoming Austin and HRC community conversation will take place at the Hormel Historic Home from 6-8 p.m. on Tuesday, April 17<sup>th</sup>.

Parks and Recreation Director Kim Underwood stated the City wide cleanup will be held from April 21<sup>st</sup> to April 30<sup>th</sup>. Citizens can contact Park and Rec for gloves and bags.

Police Chief Brian Krueger stated the department will be swearing in a new officer tomorrow.

Moved by Council Member Austin, seconded by Council Member King, adjourning the meeting to May 8, 2018. Carried.

Adjourned: 7:40 p.m.

Approved: May 8, 2018

Mayor: \_\_\_\_\_

City Recorder: \_\_\_\_\_