

M I N U T E S
CITY COUNCIL MEETING
September 7, 2021
5:30 PM
Council Chambers

MEMBERS PRESENT: Mayor King. Council Members Paul Fischer, Rebecca Waller, Jason Baskin, Oballa Oballa, Michael Postma, Jason Baskin, Joyce Poshusta and Council Member-at-Large Jeff Austin

MEMBERS ABSENT:

STAFF PRESENT: City Administrator Craig Clark, Director of Administrative Services Tom Dankert, Police Chief David McKichan, City Attorney Craig Byram

STAFF APPEARING ELECTRONICALLY: Public Works Director Steven Lang, Fire Chief Jim McCoy, Planning and Zoning Administrator Holly Wallace, Park and Rec Director Kevin Nelson, Library Director Julie Clinefelter, Human Resources Director Trish Wiechmann and City Clerk Ann Kasel

OTHERS APPEARING ELECTRONICALLY: Austin Daily Herald

APPEARING IN PERSON: Laura Helle, Scott Wiechmann, Rollie Hansen, Mary Ann Duren, Natasha Walsh, Mark Nibaur, John Garry

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

Additions to the Agenda

- (res) 25. Approving a settlement agreement with Koch, Inc.
- (res) 26. Approving a purchase agreement with Mayo Clinic Health Systems.
- (res) 27. Approving a premise permit gambling application for Austin Youth Hockey Association, Inc. for the B & J Bar & Grill.

Updated Item

- 11. Reviewing an ordinance regarding parking or storing of motor vehicles. *(attached)*

Removed from Agenda

- 20. Approving a modification to a design services contract with SEH for the Waste Water

Treatment Plant.

Moved by Council Member Fischer, seconded by Council Member Waller, approving the agenda as amended. Carried.

Moved by Council Member Fischer, seconded by Council Member Waller, approving Council minutes from August 16, 2021. Carried.

RECOGNITIONS AND AWARDS

Mayor King read a proclamation for Welcoming Week 2021.

Laura Helle with the Human Rights Commission thanked the Mayor for the proclamation and directed residents to the City of Austin website for the full listing of events.

VFW Commander Scott Wiechmann informed the Council of a ceremony for the 20th anniversary of 9/11 and recognize the Veterans and Police and Fire that protect our community. The ceremony will begin at 8:46 a.m. on September 11th at the Veteran's Memorial in downtown Austin.

CONSENT AGENDA

Moved by Council Member Fischer, seconded by Council Member Poshusta, approving the consent agenda as follows:

Licenses:

- Exempt gambling: Austin Area Chamber of Commerce on October 7, 2021
- Exempt gambling: United Catholic Schools Foundation on November 3, 2021
- Food: Five Below, Inc, 1001 18th Avenue NW
- Hotel/Motel: Ramsey Retreat, 4101 13th Street NE
- Mobile Business: On the Hook Fish and Chips, LLC, Laramie, Wyoming
- Mobile Business: Stage Coach BBQ & Grill, Brownsdale
- Right-of-Way: Kelm Lawn & Landscaping, Faribault
- Temporary Liquor: St. Augustine Catholic Church on September 25, 2021

Claims:

- a. Pre-list of bills.
- b. Financial and Credit Card Report

Carried.

PUBLIC HEARINGS

A public hearing was held for sidewalk improvement assessments for 8th Street NW (8th Avenue NW to 13th Avenue NW). The amount to be assessed is \$8,421.41 at 3.5% for 15 years. Public Works Director Steven Lang stated there were eight properties that were missed for sidewalk

assessment on 8th Street NW.

There were no public comments.

Moved by Council Member-At-Large Austin, seconded by Council Member Fischer, adopting a resolution declaring the cost of the project. Carried 7-0.

Moved by Council Member Fischer, seconded by Council Member Waller, adopting a resolution adopting the assessment roll for sidewalk improvements on 8th Street NW. Carried 7-0.

BID OPENINGS AND AWARDS

The City received the following bids for residential asbestos abatement:

Contractor	Bid
Asbestrol	\$27,460.00
Environmental Plant Services, Inc.	\$30,350.00
MAVO Systems, inc.	\$65,550.00

Planning and Zoning Administrator Holly Wallace stated the bids are for the removal of asbestos in five properties that will be demolished by the City. She stated one of the properties will be funded with Local Option Sales Tax because it was part of a flood buyout.

Moved by Council Member Fischer, seconded by Council Member Waller, adopting a resolution awarding the bid for residential asbestos abatement to Asbestrol. Carried 7-0.

The City received the following bids for airport snow removal services:

Contractor	Motor Grader	Front End Loader
Koehler's Yard Service	\$140/hour	\$140/hour
Damel Corp. Inc.	No bid	
Jensen Excavating & Trucking	No bid	
Hansen Hauling & Excavating	No bid	
Jim's Excavating & Demo	No bid	

Public Works Director Steven Lang stated the City received one bid for the removal of snow at the Austin Municipal Airport and recommended awarding it to Koehler's Yard Service.

Council Member Baskin asked why the snow isn't removed by City staff at the airport.

Mr. Lang stated the job to clean the streets is the City's primary focus and requires a lot of man power and there isn't enough equipment and time to do the airport also.

Moved by Council Member Postma, seconded by Council Member Oballa, adopting a resolution awarding the bid for airport snow removal to Koehler's Yard Service. Carried 7-0.

PETITIONS AND REQUESTS

Public Works Director Steven Lang stated the City received many requests for sidewalk reevaluation on the 1st Avenue & 16th Street NE project. Upon inspection it was revealed that the panels were unique in that they were exposed aggregate not typically seen in Austin. The panels were in good condition and not in need of replacement so it was determined that many panels would not need to be charged for. Therefore, Mr. Lang requested the Council rescind the old resolution and adopt a new one with the updated sidewalk amounts.

Moved by Council Member Baskin, seconded by Council Member Fischer, adopting a resolution rescinding resolution 16240. Carried 7-0.

Moved by Council Member Baskin, seconded by Council Member Oballa, adopting a resolution adopting a revised assessment roll for 1st Avenue NE & 16th Street NE. Carried 7-0.

Moved by Council Member-at-Large Austin, seconded by Council Member Waller, adopting a resolution setting public hearings for fall assessments on October 4, 2021. Carried 7-0.

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

Planning and Zoning Administrator Holly Wallace reviewed an ordinance regarding parking or storing of motor vehicles. She stated the ordinance is being updated to state that vehicles or recreational vehicles need to be parked on a hard surface area directly adjacent to the driveway.

Mayor King asked how the ordinance will be enforced.

Ms. Wallace stated anyone can make a report or staff can see the violation during other property inspections.

Council Member Postma asked if there will be some education for the public.

Moved by Council Member Fischer, seconded by Council Member Waller, for preparation of the ordinance. Carried.

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

City Clerk Ann Kasel reviewed an ordinance for liquor licensing updates to allow for vendors to hold more than one on-sale license and to align the number of allowed licenses with State Statutes.

Moved by Council Member Postma, seconded by Council Member Waller, for preparation of the ordinance. Carried.

Moved by Council Member-at-Large Austin, seconded by Council Member Fischer, for adoption

and publication of the ordinance. Carried 7-0.

Public Works Director Steven Lang stated the City would like to enter into a property exchange with James and Tammy Snee. The City purchased a piece of property in 1965 that bisects their property in 1965. The City no longer needs the property and would like to exchange that parcel and another portion of adjoining property in exchange for an easement for sanitary sewer over the properties. The Snee's will pay the City the amount of \$15,874.41 for the property. Mr. Lang recommended approving the exchange.

Moved by Council Member Fischer, seconded by Council Member Postma, adopting a resolution approving a property exchange with James Snee and authorizing the execution of the deed for exchange. Carried 7-0.

Public Works Director Steven Lang requested the Council approve the renewal of a limited use permit for the pedestrian bridge over I-90 for the Todd Park Trail. Mr. Lang stated the permit must be renewed every ten years.

Moved by Council Member Fischer, seconded by Council Member Waller, adopting a resolution approving the renewal of a limited use permit for the I-90 pedestrian bridge for the Todd Park Trail. Carried 7-0.

Public Works Director Steven Lang requested the Council approve the renewal of a limited use permit for the I-90 Nature Center Trail. Mr. Lang stated the permit must be renewed every ten years.

Moved by Council Member Fischer, seconded by Council Member Waller, adopting a resolution approving the renewal of a limited use permit for the Nature Center pedestrian trail. Carried 7-0.

Public Works Director Steven Lang requested the Council approve the renewal of a limited use permit for the pedestrian underpass I-90 east of 6th Street NE. Mr. Lang stated the permit must be renewed every ten years.

Moved by Council Member Fischer, seconded by Council Member Baskin, adopting a resolution approving the renewal of a limited use permit for the I-90 pedestrian underpass east of 6th Street NE. Carried 7-0.

Public Works Director Steven Lang stated the City would like to continue the annual fall yard waste program to dispose of leaves, grass and plant waste at the Cook Farm. He stated the City does not accept branches.

Council Member Baskin asked what the City does with the compost and if there is an interest in selling some of it.

Mr. Lang stated the City provides free compost to City residents and the street department uses it on City street projects and in the parks.

Mayor King stated it is a valuable service to the residents to donate the leaves and receive the compost back.

Council Member Fischer stated there is not enough cost to change how the program is working.

Moved by Council Member Fischer, seconded by Council Member Waller, authorizing the yard waste program for 2021 – scheduled for September 18 to November 27, 2021. Carried.

City Administrator Craig Clark stated the City is interested in partnering with Hormel Foods to have a Phase One Discovery Tour with the Velocity Group. The study would involve a field visit by the group to discover the needed community vision to enhance the City's sense of place. The study would cost \$10,000 and the City and Hormel Foods would split the cost with funding coming from 2021 contingency.

Mary Ann Duren, with Impact Austin, stated the project would be beneficial to Austin to understand the town dynamics and would identify projects to better the community.

Natasha Walsh stated Hormel Foods is on board with the study and noted that the study has been completed in Bentonville, Arkansas.

Moved by Council Member Postma, seconded by Council Member Fischer, authorizing participation with Impact Austin for a phase one discovery tour with Velocity Group and authorizing \$5,000 in funding from 2021 contingency. Carried 7-0.

City Administrator Craig Clark stated the City would like apply for an Federal Economic Development Grant for Creekside Business Park infrastructure as part of economic recovery from COVID 19. The Public Works Grant Program would help expand infrastructure while encouraging new business expansion. The Federal grant would be up to 80% funding of the total estimated cost of \$3,731,000.

Moved by Council Member Baskin, seconded by Council Member Waller, adopting a resolution approving a request for proposals for a DEED Economic Adjustment Assistance Program. Carried 7-0.

Planning and Zoning Administrator Holly Wallace requested the Council approve a lot split for Argus Nelson. Mr. Nelson owns one parcel with two homes on it and he would like to split them off into two parcels with one home on each. Ms. Wallace recommended approval of the split.

Moved by Council Member Fischer, seconded by Council Member Poshusta, adopting a resolution approving a property split for Argus Nelson. Carried 7-0.

Planning and Zoning Administrator requested the Council approve lot splits for Kraig Kestner. He would like to split one parcel into two tracts, combine the first split parcel with another parcel and sell off the second split parcel. Ms. Wallace recommended approval of the split.

Moved by Council Member Oballa, seconded by Council Member Poshusta, adopting a

resolution approving a property split for Kraig Kestner. Carried 7-0.

Moved by Council Member Fischer, seconded by Council Member Waller, adopting a resolution declaring the property as 904 13th Avenue NE a hazardous structure. Carried 7-0.

Moved by Council Member Poshusta, seconded by Council Member Waller, adopting a resolution granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 605 12th Street NE, Ubaldo Property. Carried.

Public Works Director Steven Lang requested the Council approve a settlement agreement with Koch, Inc. for work performed at the Waste Water Treatment Plant.

Moved by Council Member Fischer, seconded by Council Member Baskin, approving a settlement agreement with Koch, Inc. Carried 7-0.

Moved by Council Member Oballa, seconded by Council Member Waller, adopting a resolution approving a purchase agreement with Mayo Clinic Health Systems. Carried 7-0.

Moved by Council Member Fischer, seconded by Council Member Waller, adopting a resolution approving a premise permit gambling application for Austin Youth Hockey Association, Inc. for the B & J Bar & Grill. Carried 7-0.

REPORTS

Council Member-at-Large Jeff Austin noted the Welcoming Week activities.

Council Member Postma stated he was excited for Welcoming Week.

Moved by Council Member Fischer, seconded by Council Member Waller, adjourning the meeting to September 7, 2021. Carried.

Adjourned: _____ 6:32 p.m. _____

Approved: _____ September 7, 2021 _____

Mayor: _____

City Recorder: _____