

M I N U T E S
CITY COUNCIL MEETING
October 18, 2021
5:30 PM
Council Chambers

MEMBERS PRESENT: Mayor King. Council Members Paul Fischer, Rebecca Waller, 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

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

OTHERS APPEARING ELECTRONICALLY: Brian Butts, Rob Steffes

APPEARING IN PERSON: Austin Daily Herald, Honorary Council Member Kris Heichel, Public

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

Additions to the Agenda:

Consent Agenda:

Licenses:

Right of Way: Berg's Nursery & Landscape, LLC 904 1st Avenue SW

American Waterworks: 1307 Valleyhigh Drive NW, Rochester

- (res) 16. Approving a contract for a Preliminary Engineering Report for the EDA grant at Creekside Business Park.
- (mot) 17. Appointing Justin Hanson to the Park and Recreation Board, term expiring December 31, 2022.
- (res) 18. Approving a Parks Master Planning contract with MSA Professional Services, Inc.

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

Moved by Council Member Waller, seconded by Council Member Fischer, approving Council minutes from October 4, 2021 and October 11, 2011. Carried.

CONSENT AGENDA

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

Licenses:

Right of Way: Carl Bolander & Sons, LLC, St. Paul

Right of Way: Berg's Nursery & Landscape, LLC 904 1st Avenue SW

Right of Way: American Waterworks: 1307 Valleyhigh Drive NW, Rochester

Claims:

- a. Pre-list of bills
- b. Investment Report.

Event Applications:

2022 Farmers Market Place events

Carried.

PUBLIC HEARINGS

A public hearing was held for a proposed tax abatement for Chad and Frances Sonnek for a proposed property at 3005 & 3007 15th Avenue SW in the estimated value of \$600,000. City Administrator Craig Clark stated the application met the City's requirements for tax abatement.

There were no public comments.

Moved by Council Member Baskin, seconded by Council Member Postma, adopting a resolution approving a five-year tax abatement for Chad & Frances Sonnek. Carried 7-0.

PETITIONS AND REQUESTS

Fire Chief Jim McCoy stated the Department has evaluated their fleet needs and would like to purchase a mini pumper apparatus in 2022. The contract for the vehicle needs to be signed by November 1, 2021 to avoid 2022 cost increases. Chief McCoy asked Council to approve the signing of the contract in 2021.

Moved by Council Member Fischer, seconded by Council Member-at-Large Austin, approving the advanced purchase of a fire apparatus in 2022. Carried.

Administrative Services Director Tom Dankert requested the Council approve a senior deferral of special assessments for Melissa Weis. He stated Ms. Weis met all the criteria for the deferral and the assessment would accrue interest until the property is sold.

Moved by Council Member Postma, seconded by Council Member Fischer, adopting a resolution approving a senior deferral of special assessments for Melissa M. Weis. Carried 7-0.

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

Public Works Director Steven Lang requested an increase to the stormwater utility rates to fund existing programs and new mandates from the state and federal government. The last adjustment was in 2012 and Mr. Lang stated the Council proposed a \$1.50 increase for the residential rate and a \$9.00 increase in the commercial rate. This would increase the yearly funding from \$675,000 to \$925,000 for the program.

Moved by Council Member Fischer, seconded by Council Member Oballa, approving increases to 2022 stormwater utility rates. Carried.

Public Works Director Steven Lang stated the City of Austin has Medium Intensity Approach Lighting System with Runway alignment lights at the Austin Municipal Airport which allows aircraft to land during inclement weather. The FAA will be requiring annual and semi-annual ground checks of the lighting system and checks are required to be completed by a FAA certified contractor. NEO Electrical Solutions from Hudson, Wisconsin is the only one in the region and has provided a three-year contract in the amount of \$6,300 per year.

Moved by Council Member Fischer, seconded by Council Member Poshusta, adopting a resolution approving a contract with NEO Electrical Solutions for airport lighting inspections. Carried 7-0.

Planning and Zoning Administrator Holly Wallace reviewed a rezoning request from Bruce Baudler. She stated the request is to divide the existing parcel and rezone Parcel A to R-O, multi family/office and Parcel B to Community Business to allow for development on the parcels. The surrounding uses are commercial to the north and west and residential to the south and east. The Planning Commission reviewed the matter at their October 12, 2021 meeting and recommended denial of the parcels by an 8-0 vote. She stated the Planning Commission was concerned about traffic in the area.

Scooters Coffee is proposed to be located on Parcel B. There is a proposed ingress and egress agreement with the City for traffic control.

Ms. Wallace stated that residents in the area were opposed to the development at the Planning Commission meeting.

Council Member Poshusta asked when the coffee shop is looking to build.

Robb Steffes, with Scooter's Coffee shop, stated the design for the shop is complete and would begin in the second or third quarter of 2022.

Mayor King noted that the City turned down an ambulance facility in the neighborhood a few years ago. He stated the property appears to be fit for redevelopment since there is an abandoned home on the parcel. He stated he sees the proposal as a good fit for the property because it is unlikely that it would be developed residentially.

Council Member-at-Large Austin stated the property has been marketed for 20 plus years. This property would have been developed residentially already if that was the intended purpose. He stated he doesn't see the development as a detriment to the neighbors.

Council Member Postma stated he was on the Planning Commission when the ambulance proposal came forward and did not support that proposal. He spoke in support of the current project. He noted he doesn't feel that property owner should be held hostage because of the City street.

Council Member Poshusta stated she believes the traffic in the area will be better with the improved bridge design that Council recently approved. She asked Mr. Steffes if he was looking at any other locations in town.

Mr. Steffes stated this is the ideal location for their business.

Council Member Oballa stated he supports the business development on the property. He noted that he doesn't believe it will decrease property values.

Council Member Baskin stated he understands the concern about the traffic in the neighborhood but the bridge improvements in the future will help that issue. He noted the decision to develop the property will be in the best interest of the City.

Council Member Fischer stated the property is unlikely to be a residential area and is in favor of the rezoning.

Moved by Council Member Council Member-at-Large Austin seconded by Council Member Fischer, adopting findings on the Baudler rezoning parcels. Carried.

Moved by Council Member-at-Large Austin, seconded by Council Member Fischer, for preparation of the zoning ordinance. Carried.

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

Planning and Zoning Administrator Holly Wallace stated the proposed apartments at the former YMCA site, called the Mill on Main, are requested an off-street parking variance and a height variance for the complex.

Ms. Wallace stated the City zoning code would require 2.25 parking spaces per dwelling unit. The developer is requesting 1.66 spaces per unit because of the number of studio and one bedroom apartments in the complex. This would bring the number of parking spaces to 153, down from 207. The Planning Commission reviewed the matter at their October 12, 2021 meeting and recommended approval of the variance by an 8-0 vote.

Moved by Council Member Fischer, seconded by Council Member Postma, approving an off street parking appeal for the Mill on Main. Carried.

Ms. Wallace stated the structure for the apartment is proposed at 5 stories. The maximum height in a B-2 district is three stories. She stated there are R-2 districts to the west and north with buildings from 4 to 8 stories. The Planning Commission reviewed the matter at their October 12, 2021 meeting and recommended approval of the variance by an 8-0 vote.

Moved by Council Member Poshusta, seconded by Council Member Baskin, approving a height variance for the Mill on Main. Carried.

Planning and Zoning Administrator Holly Wallace stated Nicholas Yerhart is requested a variance from the square footage for accessory structures in the City Code. He is proposing the build a 2400 square foot shed, in addition to his existing shed, on his 3.4 acre lot. This would exceed the maximum square footage for accessory structures. The Planning Commission reviewed the matter at their October 12, 2021 meeting and recommended approval of the variance by an 8-0 vote.

Moved by Council Member Postma, seconded by Council Member Baskin, approving an accessory structure variance request from Nicholas Yerhart. Carried.

Moved by Council Member Fischer, seconded by Council Member Postma, adopting a resolution declaring the garage at 611 13th Street NE a hazardous structure. Carried.

Moved by Council Member Postma, seconded by Council Member Fischer, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1605 12th Street SW. Carried.

City Administrator Craig Clark stated the City received proposals for a Preliminary Engineering Report and Environmental Review for the submission of a grant to the Federal Economic Development Administration. SEH, Inc. provided a proposal in the amount of \$20,000 for the completion of the reports and the costs for the contract will be split with Austin Utilities. Mr. Clark requested approval of the contract with SEH, Inc.

Moved by Council Member Baskin, seconded by Council Member-at-Large Austin, approving a contract with SEH, Inc. for a Preliminary Engineering Report for the EDA Grant at Creekside Business Park. Carried 7-0.

Moved by Council Member Fischer, seconded by Council Member Oballa, appointing Justin Hanson to the Park and Recreation Board, term expiring December 31, 2022. Carried.

Parks and Recreation Director Kevin Nelson requested the Council approve and Parks and Trails master plan with MSA Professional Services, Inc. in the amount of \$73,197.95. He stated the Park and Recreation Board reviewed the proposals at their October 13, 2021 meeting and recommended approval.

Moved by Council Member Fischer, seconded by Council Member Baskin, approving a Parks and Trails master planning contract with MSA Professional Services, Inc. Carried 7-0.

CITIZENS ADDRESSING THE COUNCIL

Mike Stoll stated he is moving out of state and appreciated the interaction with the Council.

The Council thanked Mr. Stoll for his work and wished him the best.

HONORARY COUNCIL MEMBER COMMENTS

Honorary Council Member Kris Heichel stated she appreciated the Council taking time for their decisions.

REPORTS

City Administrator Craig Clark stated the Velocity Group will be in Austin November 8 through 10, 2021.

Library Director Julie Clinefelter stated the social justice book club will meet on Thursday night.

Council Member Postma recognized the Cedar River Farmer's Market for their successful season.

Council Member Baskin stated he recently attended a conference with other cities and said he felt good about the progress Austin has made.

Moved by Council Member Fischer, seconded by Council Member Waller, adjourning the meeting to November 1, 2021. Carried.

Adjourned: 6:33 p.m.

Approved: November 1, 2021

Mayor: _____

City Recorder: _____