

M I N U T E S  
CITY COUNCIL MEETING  
November 1, 2021  
5:30 PM  
Council Chambers

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

MEMBERS ABSENT: Council Member Oballa Oballa

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

STAFF APPEARING ELECTRONICALLY: Assistant City Engineer Mitch Wenum, 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:

APPEARING IN PERSON: Honorary Council Member Kris Heichel, Representative Patti Mueller, Senator Gene Dornink, Counselors of Real Estate, Public

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

Additions to the Agenda:

Recognitions and Awards

Senator Gene Dornink and Representative Patti Mueller

Consent Agenda:

Licenses

Lodging Establishment: Rahilly Guest House, 208 2<sup>nd</sup> Avenue SW

Temporary Liquor: Austin Area Commission for the Arts on December 3, 2021

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 October 18, 2021. Carried.

## RECOGNITIONS AND AWARDS

Mayor King requested the City dedicate Conference Room B as the Bonnie Besse Rietz conference room.

Moved by Council Member-at-Large Austin, seconded by Council Member Baskin, dedicating the Bonnie Besse Rietz conference room. Carried 6-0.

Senator Gene Dornink thanked for the Council having him and provided a recap of the 2021 legislative session stating that he works on the bonding committee. Representative Patti Mueller stated she is working on getting kids apprenticeships and is striving for family child care.

Mayor King thanked them both for their work.

The Counselors of Real Estate Group introduced themselves stating that they will be acting as consultants for the City's real estate issues.

## CONSENT AGENDA

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

### Licenses:

Massage Therapist: Eh Soe, 811 7<sup>th</sup> Avenue SW

Lodging Establishment: Rahilly Guest House, 208 2<sup>nd</sup> Avenue SW

Temporary Liquor: Austin Area Commission for the Arts on December 3, 2021

### Claims:

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

### Appointments:

Appointing Council Member Poshusta to the SMART Transit Advisory Committee.

Appointing Council Member Fisher to the Senior Center Board

Carried.

## PETITIONS AND REQUESTS

Moved by Council Member Baskin, seconded by Council Member Postma, adopting a resolution accepting donations to the City of Austin. Carried 6-0.

Assistant City Engineer Mitch Wenum requested the Council approve the stormwater rates.

Moved by Council Member Postma, seconded by Council Member Fischer, adopting a resolution adopting storm water management fees. Carried 6-0.

Assistant City Engineer Mitch Wenum requested the Council approve an airport maintenance and operations grant from MnDOT Aeronautics for fiscal years 2022 and 2023. The grant is in the amount of \$51,075 per year and would reimburse the City up to 75% of maintenance costs at the airport.

Moved by Council Member Fischer, seconded by Council Member Waller, adopting a resolution approving an airport maintenance and operations agreement with MnDOT. Carried 6-0.

Assistant City Engineer Mitch Wenum requested the Council approve a cooperative construction agreement with MnDOT for a project on Hwy 105/12<sup>th</sup> Street SW from the Turtle Creek Bridge to the City limits. The total estimated construction cost is \$4 million dollars with \$66,162.15 being allocated to the City. The City portion will be covered by grants, assessments, Austin Utilities and the street fund.

Moved by Council Member Baskin, seconded by Council Member Postma, adopting a resolution approving a project agreement for the Highway 105/12<sup>th</sup> Street SW project with MnDOT. Carried 6-0.

Assistant City Engineer Mitch Wenum stated a prescriptive easement is required for the 21<sup>st</sup> Avenue NE and 11<sup>th</sup> Street NE public right-of-way to make the roads eligible for a federal street reconstruction project planned for 2022.

City Attorney Craig Byram stated the road has been used by the public for over six years so the road is a dedicated right of way. The resolution will be recorded as proof of ownership.

Moved by Council Member Fischer, seconded by Council Member Baskin, adopting a resolution approving a 21<sup>st</sup> Avenue NW and 11<sup>th</sup> Street NE prescriptive easement. Carried 6-0.

Assistant City Engineer Mitch Wenum stated the City requested a proposal from SEH, Inc. for zoning updates at the Austin Municipal Airport to allow for a runway expansion. He stated the project needs to meet FAA requirements and SEH provided an estimate in the amount of \$48,700. The project would be funded via a 70% MnDOT grant and 30% with the local airport fund. He requested the Council approve the contract with SEH, Inc., subject to the acceptance of a MnDOT State grant.

Moved by Council Member Poshusta, seconded by Council Member Fischer, adopting a resolution approving a contract with SEH for airport rezoning. Carried 6-0.

City Administrator Craig Clark requested the Council approve a modified grant agreement with the State of Minnesota for the public television station operated by KSMQ. The agreement would extend the completion date from February 28, 2022 to December 31, 2022 and allow for additional costs in the amount of \$399,000 which would be the responsibility of KSMQ.

Moved by Council Member Postma, seconded by Council Member Waller, adopting a resolution approving an amendment to the grant agreement for the construction of a public television station. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Poshusta, adopting a resolution granting a transfer of an on-sale liquor license to Cuatro Copas Bar & Lounge, LLC. Carried 6-0.

Planning and Zoning Administrator Holly Wallace requested the Council adopt a resolution assuming the authority to enforce the parcel transfer and division restrictions of Minnesota Statutes 272.162. She stated the Mower County Recorder will record documents that are in the correct format without additional approvals from the local jurisdictions. The Council could adopt the statute which would require that Mower County cannot process any divisions of property without the City approval.

Council Member Baskin asked if there are extra time or costs for the public.

Ms. Wallace stated property owners can contact the City ahead of time to make the process smoother. She noted that in the zoning code update there would be administrative approval for minor splits.

Moved by Council Member Postma, seconded by Council Member Poshusta, adopting a resolution adopting Minn. Statute section 272.162 to enforce parcel transfer and division restrictions. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Poshusta, adopting a resolution declaring the property at 807 9<sup>th</sup> Street NE a hazardous structure. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Waller, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 106 11<sup>th</sup> Street NE, Nelson Property. Carried.

## CITIZENS ADDRESSING THE COUNCIL

Elaine Hansen with the Chamber of Commerce stated the Chamber plans on doing the annual lighting contest again.

## REPORTS

City Administrator Craig Clark stated the Velocity Group will meet November 9<sup>th</sup> from noon to 1 p.m.

Council Member Postma thanked the public for attending the Austin Symphony Orchestra concert.

Council Member Poshusta appreciated naming the conference room after Bonnie Rietz.

Moved by Council Member Fischer, seconded by Council Member Waller, adjourning the meeting to November 15, 2021. Carried.

Adjourned: 6:15 p.m.

Approved: November 15, 2021

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

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