

M I N U T E S
CITY COUNCIL MEETING
June 6, 2022
5:30 PM
Council Chambers

MEMBERS PRESENT: Mayor King. Council Members Paul Fischer, Rebecca Waller, Jason Baskin, Michael Postma, 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, Public Works Director Steven Lang, Fire Chief Jim McCoy, Planning and Zoning Administrator Holly Wallace, Park and Rec Director Dave Merrill, City Attorney Craig Byram, Library Director Julie Clinefelter

APPEARING IN PERSON: Kris Fadness, Brian Davis, Terry Schmidt, Brian Preble, Tim Sorgine, Austin Daily Herald

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

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

Moved by Council Member Baskin, seconded by Council Member Fischer, approving Council minutes from May 16, 2022. Carried.

AWARDS AND RECOGNITIONS

Mayor King welcomed Steven Juenger as the newest honorary council member.

Mayor King read a proclamation in honor of Kris Fadness. Mr. Fadness thanked the Council for the honor.

CONSENT AGENDA

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

Licenses:

Cab Driver: Amy Clinton, 1200 2nd Drive NE

Food: Khinni Asian Market, LLC, 430 10th Street NE, Suite 2

Food: Vietnamese Top Noodle, 501 1st Street NW

Mobile business: Asian Hut, PO Box 13, Storden
Mobile business: Cookie Dough Bliss Twin Cities, 4122 Shelly Court, New Market
Mobile business: Nels Diner, LLC, Albert Lea
Mobile business: Tasty Fam, LLC, 1009 1st Avenue NW
Mobile business: The Cafeteria, LLC, 105 9th Street NW
Temporary 3.2 Beer: Austin Area Chamber of Commerce at the Plager Building on July 19, 2022
Temporary Liquor: Gravity Storm Brewery at Bandshell Park on August 27, 2022
Temporary Liquor: Gravity Storm Brewery at Bandshell Park on July 3-4, 2022
Temporary Liquor: VFW Post 1216 at Bandshell Park on July 3-4, 2022

Claims:

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

Event Applications:

Pride Fest on June 12, 2022

Carried.

PUBLIC HEARINGS

A public hearing was held for the review of a five year tax abatement request from Bigelow & Lennon Construction. City Administrator Craig Clark stated Bigelow & Lennon would like to build a single-family home valued at approximately \$350,000 on 14th Avenue NE. He stated the application is in conformance with the City's tax abatement policy.

There were no public comments.

Moved by Council Member Baskin, seconded by Council Member Postma, approving a five year tax abatement request from Bigelow & Lennon Construction. Carried 6-0.

A public hearing was held for the review of a five year tax abatement request from the Austin Housing and Redevelopment Authority for a single family home valued at approximately \$325,000 on 24th Avenue NW. City Administrator Craig Clark stated the application is in conformance with the City's tax abatement policy.

There were no public comments.

Moved by Council Member-at-Large Austin, seconded by Council Member Poshusta, approving a five year tax abatement request from the Austin Housing and Redevelopment Authority. Carried 6-0.

PETITIONS AND REQUESTS

City Attorney Craig Byram stated the City has received a resignation for first ward council member Oballa Oballa due to him moving from his ward. He stated the City will accept applications for appointment through June 20, 2022 and the position will be appointed by July 5, 2022.

Mayor King stated the Council will choose the new Council Member. He noted that there were conflicts with the proposed date and suggested it be moved to July 7th for the interviews.

Moved by Council Member Poshusta, seconded by Council Member Waller, adopting a resolution accepting Oballa Oballa's resignation and declaring a First Ward vacancy. Carried 6-0.

City Administrator Craig Clark stated the Austin Artworks Festival would like the City to participate in the cost for a permanent electrical panel for the festival. The total cost of \$9,000 and the Artworks Festival would contribute \$3,000 and is asking the City to contribute \$1,500. Mr. Clark stated the City has \$67,000 in contingency funds for 2022.

Moved by Council Member Fischer, seconded by Council Member Waller, authorizing \$1,500 from 2022 contingency for an electrical pedestal at the Austin Artworks Festival. Carried.

Director of Administrative Services Tom Dankert requested the Council approve a budget adjustment for affordable housing purposes. He stated there is money in an unused tax increment financing district that is eligible to be used for housing purposes. He noted the transfer of up to \$548,465 will be made once the district is closed out.

Moved by Council Member-at-Large Austin, seconded by Council Member Baskin, adopting a resolution approving budget adjustment number 3 – affordable housing funding. Carried 6-0.

Director of Administrative Services Tom Dankert requested the Council approve a budget adjustment in the amount of \$1,421,250 for an EDA grant match for Creekside business park infrastructure.

Moved by Council Member Fischer, seconded by Council Member Waller, adopting a resolution approving budget adjustment number 4 – EDA grant match. Carried 6-0.

Director of Administrative Services Tom Dankert requested the Council approve a senior deferral application for Marian Clennon for a 2022 street project. The assessment will be deferred until the property loses eligibility or is sold.

Moved by Council Member-at-Large Austin, seconded by Council Member Postma, adopting a resolution approving a senior deferral application. Carried 6-0.

Director of Administrative Services Tom Dankert stated the City Administrator would like a wireless microphone at the podium as a change order to the audio visual project in the council chambers. The wiring under the podium would also need to be moved resulting in a change order in the amount of \$2,926.88.

Moved by Council Member Postma, seconded by Council Member Fischer, adopting a resolution approving change order #1 for the Council Chambers audio/visual project. Carried 5-1 with Council Member-at-Large Austin voting nay.

Public Works Director Steven Lang stated as part of the FEMA requirements for the North Main Flood Control project, the Council must adopt the Operations, Maintenance, Repair, Replacement & Rehabilitation manual. He stated the full document is over 500 pages and specifies maintenance for the wall.

Moved by Council Member Baskin, seconded by Council Member Postma, adopting a resolution adopting the Operations, Maintenance, Repair, Replacements & Rehabilitation Manual for the North Main Flood Control Project. Carried 6-0.

Planning and Zoning Administrator Holly Wallace reviewed an ordinance for conditional and interim use permits. She stated a new section needs to be added for the interim use permits and will be beneficial to the community.

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

Moved by Council Member Fischer, seconded by Council Member Postma, adopting a resolution for adoption of the ordinance. Carried 6-0.

Moved by Council Member Poshusta, seconded by Council Member Fischer, adopting a resolution for summary publication of the ordinance. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Baskin, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 503 8th Avenue SE, Wakefield Property. Carried.

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 808 10th Avenue SE, Ernst Property. Carried.

Moved by Council Member Postma, 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 1006 11th Avenue SW, Myint Property. Carried.

Moved by Council Member Fischer, seconded by Council Member Baskin, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 400 16th Avenue SW, Vandervoort Property. Carried.

Moved by Council Member Poshusta, 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 810 10th Street NE, Heigel Property. Carried.

Moved by Council Member Waller, seconded by Council Member Postma, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 904 5th Avenue NW, El Patron Property. Carried.

CITIZENS ADDRESSING THE COUNCIL

Terry Schmidt, 1200 20th Street NE, stated he has parking concerns in front of his business on 10th Drive SE. He would like to be able to park on the side street and not directly on 10th Drive.

Mayor King stated the engineering office is looking at the intersection.

Brian Davis, 206 4th Street, Lyle, stated he would like the ordinance adjusted for sidewalk seating.

Council Member Postma noted that staff studied the possibility of parklets and it was not feasible with Minnesota laws.

Brian Preble, Albert Lea, also advocated for the sidewalk café seating.

Tim Sorgine stated he also supports the parking modification on 10th Drive SE.

HONORARY COUNCIL MEMBER COMMENTS

Honorary Council Member Steven Juenger stated he enjoyed his first meeting.

REPORTS

City Administrator Craig Clark stated the League of Minnesota Cities conference is June 22-24th.

Park and Recreation Director David Merrill stated there is emerald ash borer in town. He stated any remediation will be done in the fall.

Public Works Director Steven Lang stated the Waste Water Treatment Plant project has been sent to the bidders and there was a walk through the previous week.

Council Member Baskin welcomed Dave Merrill.

Council Member-at-Large Austin stated the Human Rights Commission Pride Event will be held on June 12th.

Council Member Postma stated 4th Avenue Fest will be on Wednesday, June 7th. He also encouraged lawmakers to come back for the special bonding session. He suggested bringing up the chicken issue again on a future work session.

Council Member Poshusta stated she would like to have the chicken discussion again. She also congratulated the AHS class of 2022.

Moved by Council Member-at-Large Austin, seconded by Council Member Postma, adjourning the meeting to June 20, 2022. Carried.

Adjourned: 6:15 p.m.

Approved: June 20, 2022

Mayor: _____

City Recorder: _____