

M I N U T E S
CITY COUNCIL MEETING
March 20, 2023
5:30 PM
Council Chambers

MEMBERS PRESENT: Mayor King. Council Members Paul Fischer, Laura Helle, Jason Baskin, Joyce Poshusta, Geoff Baker and Council Member-at-Large Jeff Austin

MEMBERS ABSENT: Council Member Michael Postma

STAFF PRESENT: City Administrator Craig Clark, Director of Administrative Services Tom Dankert, Police Chief David McKichan, Human Resources Director Trish Wiechmann, Public Works Director Steven Lang, Fire Chief Jim McCoy, Planning and Zoning Administrator Holly Wallace, Park and Rec Director Dave Merrill, Library Director Julie Clinefelter, Nature Center Director Luke Reese and City Clerk Ann Kasel

APPEARING IN PERSON: Austin Daily Herald, KAUS Radio, Honorary Council Member George Thomas, Saville Lord, Robert Wolfe, Sarah Wolfe, Nathan Smit, Tim Ruzek

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

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

Moved by Council Member Fischer, seconded by Council Member Baker, approving Council minutes from March 6, 2023. Carried.

AWARDS AND RECOGNITIONS

The Mayor introduced Colt Orum the Junior Mayor for a Day.

Mayor King noted the City received a Certificate of Achievement for Excellence in Financial Reporting for the 2021 Financial Year.

Saville Lord provided an update for the Spam Museum and noted it has been open for 7 years. She stated in 2022 there were 86,000 visitors to the museum and she is hoping that they will reach 100,000 in 2023. She spoke in support of economic development in the city.

CONSENT AGENDA

Moved by Council Member Baker, seconded by Council Member Baskin, approving the consent agenda as follows:

Licenses:

Exempt Gambling (raffle): Austin Junior All Star Baseball on July 4, 2023
Exempt Gambling (raffle): Marcusen Park Baseball Assn. on Sept 1, 2023
Mobile Food: Solem Concessions, Inc., 19192 540th Avenue
Right of Way: KNC Concrete, 202 Main Street, Hayward
Right of Way: LaCrosse Sign Co., Onalaska, WI
Temporary Liquor: Gravity Storm Brewery at Bandshell Park on July 15, 2023
Temporary Liquor: VFW Post 1216 at the Austin Labor Center on April 14-15, 2023

Claims:

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

Event Permits:

Disc Golfers Guide to the Galaxy on May 20, 2023
National Night Out on August 1, 2023

Approving the City of Austin as the fiscal agent for water and wastewater training for the Southeastern Minnesota League of Municipalities.

Carried.

PUBLIC HEARINGS

A public hearing was held for street improvement assessments for 5th Avenue NW (20th Street to 22nd Street NW), 6th Avenue NW (22nd Street NW to Dead End) and 20th Street NW (4th Avenue NW to Dead End), Project 18105. The amount to be assessed is \$185,109.50 at 5% for 15 years. Assistant City Engineer Mitch Wenum stated the specific details of each project were presented at the February 21, 2023 improvement hearings and notices were mailed to each property owner with the exact assessment amount and payment options.

There were no public comments.

Moved by Council Member Baker, seconded by Council Member Poshusta, adopting a resolution declaring the cost of Project 18105. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member-at-Large Austin, adopting resolution adopting the assessment roll for Project 18105. Carried 6-0.

A public hearing was held for street improvement assessments for 1st Street NW (Oakland Ave W to 1st Drive NW), Project 23101. The amount to be assessed is \$233,497.56 at 5% for 15 years. Assistant City Engineer Mitch Wenum stated the specific details of each project were

presented at the February 21, 2023 improvement hearings and notices were mailed to each property owner with the exact assessment amount and payment options.

There were no public comments.

Moved by Council Member Baker, seconded by Council Member Poshusta, adopting a resolution declaring the cost of Project 23101. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Poshusta, adopting resolution adopting the assessment roll for Project 23101. Carried 6-0.

A public hearing was held for street improvement assessments for 2nd Street SW (10th Avenue to 12th Avenue SW), 10th Avenue SW (2nd Drive to 4th Street SW) and 11th Avenue SW (2nd Drive to 4th Street SW), Project 23102. The amount to be assessed is \$279,514.79 at 5% for 15 years. Assistant City Engineer Mitch Wenum stated the specific details of each project were presented at the February 21, 2023 improvement hearings and notices were mailed to each property owner with the exact assessment amount and payment options.

Mr. Wenum noted that a written objection was received by LaNell Sunde.

Mr. Lang recommended assessing all the properties and the objector would need to follow the procedure for objections.

There were no public comments.

Moved by Council Member Helle, seconded by Council Member Fischer, adopting a resolution declaring the cost of Project 23102. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Poshusta, adopting resolution adopting the assessment roll for Project 23102. Carried 5-1 with Council Member Baskin voting nay.

A public hearing was held for street improvement assessments for 7th Avenue NE (19th Drive to 21st Street NE) and 19th Drive NE (6th Avenue to 7th Avenue NE), Project 23103. The amount to be assessed is \$213,511.31 at 5% for 15 years. Assistant City Engineer Mitch Wenum stated the specific details of each project were presented at the February 21, 2023 improvement hearings and notices were mailed to each property owner with the exact assessment amount and payment options.

Robert Wolfe, 1909 6th Avenue NE, stated he is objecting to the sidewalk being installed as it is going to cut through the property and the neighbor's property.

Sarah Wolfe, 1909 6th Avenue NE, stated the sidewalk will cut through the landscaping and it is a quiet neighborhood.

Public Works Director Steven Lang stated the sidewalk is being installed in conjunction with the complete streets policy. The City need to ensure there are safe transportation areas for all users.

Mr. Wenum explained the sidewalk installation on the particular project and stated sidewalk is being installed to make connections through the community.

Council Member Helle spoke in favor of the sidewalk installation and the complete streets policy.

Council Member Baskin asked if there would be sidewalks placed in the southwest portion of town.

Mr. Wenum stated each street project will be evaluated on a case by case basis.

Mr. Lang noted the Wolfe's objection is to the project scope not to the assessment.

Council Member Baker asked if there is consideration taken if the project doesn't need sidewalk.

Mr. Lang noted the sidewalk is going to be in place for 50 years and the Council needs to plan for the future in the best way possible.

Mr. Wenum stated the larger trees are ash and will need to be taken down.

Moved by Council Member Baker, seconded by Council Member Austin, adopting a resolution declaring the cost of Project 23103 with no new installation of sidewalk on phase 1 of the project. Carried 5-1 with Council Member Helle voting nay.

Moved by Council Member Fischer, seconded by Council Member Baker, adopting resolution adopting the assessment roll for Project 23103. Carried 6-0.

A public hearing was held for street improvement assessments for Hormel Drive (4th Street to 8th Street NE), Project 23105. The amount to be assessed is \$81,527.88 at 5% for 15 years.

Assistant City Engineer Mitch Wenum stated the specific details of each project were presented at the February 21, 2023 improvement hearings and notices were mailed to each property owner with the exact assessment amount and payment options.

There were no public comments.

Moved by Council Member Baker, seconded by Council Member Fischer, adopting a resolution declaring the cost of Project 23105. Carried 6-0.

Moved by Council Member Baker, seconded by Council Member-at-Large Austin, adopting resolution adopting the assessment roll for Project 23105. Carried 5-0 with Council Member Baskin abstaining.

A public hearing was held for street improvement assessments for 3rd Avenue SW (20th Street to 21st Street SW), 21st Street SW (22nd Street to 6th Avenue SW) and 22nd Street SW (Oakland Avenue to 3rd Avenue SW), Project 23106. The amount to be assessed is \$37,618.76 at 5% for 15 years. Assistant City Engineer Mitch Wenum stated the specific details of each project were presented at the February 21, 2023 improvement hearings and notices were mailed to each property owner with the exact assessment amount and payment options.

There were no public comments.

Moved by Council Member Fischer, seconded by Council Member Helle, adopting a resolution declaring the cost of Project 23106. Carried 6-0.

Moved by Council Member Baker, seconded by Council Member-at-Large Austin, adopting resolution adopting the assessment roll for Project 23106. Carried 6-0.

PETITIONS AND REQUESTS

Nathan Smit, 57234 215th Street, showed a video about the proposed whitewater project. He stated a group was formed for the creation of the project. He requested the Council approve \$10,000 for the whitewater project feasibility study. The project is estimated to cost \$49,950 and the City's contribution is requested to be split with \$5,000 from 2023 contingency and \$5,000 from the Parks and Recreations CIP.

Moved by Council Member-at-Large Austin, seconded by Council Member Baskin, approving \$5,000 from 2023 contingency and \$5,000 from Park and Rec Capital Improvement Plan funding for the whitewater feasibility study. Carried 6-0.

Public Works Director Steven Lang stated there is a storm sewer pipe running through the middle of the proposed 1st and 3rd Apartment building which they were not aware of. The project costs did not include the relocation of the infrastructure to the perimeter of the property. The project needs additional funding to move forward asked the City to contribute an estimated \$70,000 to \$75,000.

Moved by Council Member Baskin, seconded by Council Member Poshusta, approving storm sewer relocation at the 1st and 3rd Apartments site with funding coming from the storm sewer fund. Carried.

Planning and Zoning Administrator Holly Wallace reviewed a revision to an accessory structure ordinance. She stated the proposed ordinance would limit the maximum size of an attached accessory structure to 100% of the size of the principal structure.

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

Moved by Council Member-at-Large Austin, seconded by Council Member Baker, for adoption and publication of the zoning ordinance. Carried 6-0.

Planning and Zoning Administrator Holly Wallace reviewed the plat for the 1st and 3rd Apartments stating the Planning Commission reviewed it at their March 14th meeting and voting unanimously to approve it.

Moved by Council Member-at-Large Austin, seconded by Council Member Poshusta, adopting a resolution approving the final plat for the 1st and 3rd Apartment project. Carried 6-0.

Planning and Zoning Administrator Holly Wallace reviewed a zoning ordinance change for the 1st and 3rd Apartment project. The proposed ordinance would rezone the property from a light industrial (I-1) and community business district (B-2) to a residential office district (R-O). She also requested the future land use plan be amended to mixed use. The Planning Commission met on March 14th and approved the proposed changes unanimously.

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

Moved by Council Member Fischer, seconded by Council Member Baskin, for adoption and publication of the zoning ordinance. Carried 6-0.

Planning and Zoning Administrator Holly Wallace reviewed the plat for the Cook Farm Business Park Third stating the Planning Commission reviewed it at their March 14th meeting and voted unanimously to approve it.

Moved by Council Member Baker, seconded by Council Member Austin, adopting a resolution approving a final plat for Cook Farm Business Park Third. Carried 6-0.

City Clerk Ann Kasel reviewed revisions to the wine on-sale ordinance stating the provisions are being updated to align with state law.

Moved by Council Member Baker, seconded by Council Member Helle, adopting a resolution for preparation of the wine ordinance. Carried.

Moved by Council Member Fischer, seconded by Council Member Poshusta, for adoption and publication of the wine ordinance. Carried 6-0.

Moved by Council Member-at-Large Austin, seconded by Council Member Baskin, setting a public hearing for May 1, 2023 at 5:30 p.m. for the establishment of tax increment financing district no. 17 for the 1st and 3rd apartments – Three Rivers Housing Project. Carried.

Nature Center Director Luke Reese requested the Council adopt a resolution for continued funding for a teaching aide and intern at the Nature Center for 2024.

Moved by Council Member Baskin, seconded by Council Member Poshusta, adopting a resolution in support of grant funding for a teaching aide and intern at the Jay C. Hormel Nature Center. Carried 6-0.

Moved by Council Member Helle, seconded by Council Member Baskin, appointing Denver Ritz as the Honorary Council Member – April through June, 2023. Carried.

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

Public Works Director Steven Lang requested the Council adopt a resolution in support of a grant for the development of a Downtown Resilience Plan. The plan would identify locations of localized surface flooding in the downtown area. The amount of the grant is \$66,930 with a local match of \$18,040.

Moved by Council Member Fischer, seconded by Council Member Baskin, adopting a resolution authorizing a grant agreement for stormwater, wastewater and community resilience. Carried 6-0.

Public Works Director Steven Lang requested the Council approve a lease for the Cook Farm with Kevin Finley. The lease would be for 2023 and \$24,300 a year. He noted the lease is 10 acres less than the previous year due to some of it being sold.

Moved by Council Member Poshusta, seconded by Council Member Fischer, adopting a resolution approving a farm lease with Kevin Finley. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Poshusta, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 104 11th Street NE, Nelson Property. Carried.

HONORARY COUNCIL MEMBER COMMENTS

Honorary Council Member George Thomas thanked the Council for the experience.

REPORTS

City Administrator Craig Clark noted the Minnesota Senate failed to adopt a bonding bill.

Library Director Julie Clinefelter noted the Library is closed currently to finish the project and will open Tuesday, March 28th.

Council Member Helle appreciated City staff's efforts to find grants. She reported the Park and Recreation Department held a retreat in the past weeks. She noted there will be a public open house on April 20th for the review of the Parks Master Plan.

Council Member-at-Large Austin stated he toured the Library and is excited for the changes. Council Member Baskin thanked the police department and congratulated Jerry McCarthy as the President of the Port Authority and his tenure.

Council Member Fischer thanked Taggert Medgaarden for all his work on the 1st and 3rd Apartment project.

Council Member Poshusta noted the Smart Transit will reach their 2 millionth passenger this week.

Mayor King noted the Our Austin, Our America exhibit at the capital.

Moved by Council Member-at-Large Austin, seconded by Council Member Baskin, adjourning the meeting to April 3, 2023. Carried.

Adjourned: 6:42 p.m.

Approved: April 3, 2023

Mayor: _____

City Recorder: _____