

M I N U T E S
CITY COUNCIL MEETING
May 15, 2023
5:30 PM
Council Chambers

MEMBERS PRESENT: Mayor King. Council Members Paul Fischer, Laura Helle, Jason Baskin, Michael Postma, Joyce Poshusta, Geoff Baker 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, 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, City Attorney Craig Byram, and Library Director Julie Clinefelter

APPEARING IN PERSON: Austin Daily Herald, Molly Lanke, Jeff Strickler, Jerry McCarthy, Suzanne McCarthy

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

Moved by Council Member Baker, seconded by Council Member Baskin, approving the agenda with the removal of number 17. Carried.

Moved by Council Member Baker, seconded by Council Member Postma, approving Council minutes from May 1, 2023. Carried.

AWARDS AND RECOGNITIONS

Mayor King recognized Jerry McCarthy and his service to the Austin Port Authority since 1996. Mr. McCarthy stated it was an honor to serve on the Port Authority board.

Molly Lanke and Major Jeff Strickler provided an update on the Hometown Food Security project.

Mayor King read a proclamation declaring May 26 and 27, 2023 Buddy Poppy Days for the Veteran of Foreign Wars.

CONSENT AGENDA

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

Licenses:

Cigarette: Austin Tobacco & Vape, 103 North Main Street
Edible Cannabinoid: Austin Tobacco & Vape, 103 North Main Street
Exempt Gambling: United Catholic Schools Foundation on June 16, 2023
Food: Hot off the Press Comics and Coffee, 508 1st Drive NW
Massage Therapist: Autumn Beckett, 300 1st Avenue NE, Apt 327
Massage Therapist: Taylor Hinrichs, 1104 West Oakland Ave
Massage Therapist: Megan Grabau, 311 6th Street SW
Massage Therapist: Darci Gau, 108 S. Harrison Street, Winnebago
Mobile Business: Carpenter Coffee Company, 24372 680th Avenue, Alden
Tree Service: Rock Creek Tree & Stump Removal, 1603 10th Drive SE

Claims:

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

Event Applications:

Share the Heat 5K and 1 Mile Run/Walk on September 30, 2023
Summer Dance Party with the Cherry Pickers on June 24, 2023

Carried 6-0 with Council Member Helle abstaining.

PETITIONS AND REQUESTS

Administrative Services Director Tom Dankert reviewed the interfund loan agreements for TIF District #17. He stated the Council approved the TIF District financing plan at the May 1, 2023 meeting and the next step is to approve two resolutions to set forth how the tax increments will be retained by the City. The first interfund loan is for \$615,000 at a 1% interest rate. The second loan would be for up to \$587,749 of potential TIF if the market value of the property increases over time.

Moved by Council Member Baker, seconded by Council Member Baskin, adopting a resolution approving interfund loan agreement up to \$615,000 at 1% simple interest. Carried 7-0.

Moved by Council Member-at-Large Austin, seconded by Council Member Baker, adopting a resolution approving interfund loan agreement up to \$587,749. Carried 7-0.

City Administrator Craig Clark stated the City's Local Option Sales Tax (LOST) was originally enacted for flood control measures and it scheduled to expire in the coming years. The City would like to utilize the sales tax money for other projects. He stated the University of Minnesota Extension Service can perform a lost analysis to determine the allocation of local residents versus visitors that are paying the sales tax. The analysis of the data would begin in June with completion by July. This would help the City to make an informed decision as to the renewal of the sales tax. The proposed amount of the study is \$3,000.

Moved by Council Member Baskin, seconded by Council Member-at-Large Austin, adopting a resolution approving a contract with the University of Minnesota for a LOST study. Carried 7-0.

City Administrator Craig Clark requested the Council approve the proposed rules of procedure and code of conduct.

Moved by Council Member Baker, seconded by Council Member Fischer, adopting rules of procedure and code of conduct for the City Council. Carried.

Public Works Director Steven Lang stated in 2013, DNR and FEMA developed new floodplain maps for the City of Austin. These maps added six new properties in the Wildwood Park area to the flood plain. He stated the engineering department has been working with MnDOT for the bridge replacement in the area and there appears to be an irregularity in the surface water elevations in the Wildwood area. He stated the elevation rapid changes are uncommon and require additional evaluation.

A letter of map revision would cost approximately \$150,000 and could be funded using local option sales tax. He stated this process has the potential to remove some of the structures from the flood plain area thereby reducing property acquisition costs. He recommended approval of the contract with SEH, Inc.

Moved by Council Member Baker, seconded by Council Member Baskin, adopting a resolution approving a contract with SEH for a Wildwood Park letter of map revision. Carried 7-0.

Public Works Director Steven Lang stated the City is planning the Waste Water Treatment Plant Expansion and Phosphorus Reduction project and is receiving multiple sources of funding including a PFA loan, water infrastructure funding grant and a point source implementation grant. The funding sources require the City to approve and record a Real Property Declaration which states the City owns the property on which the improvements are made; the property cannot be sold, mortgaged or encumbered without the Commissioner of MMB's approval; and the restrictions shall remain with the property for 125% of the useful life of the project. He requested the Council approve the declaration.

Council Member Postma asked about the footprint of the new buildings for the project.

Public Works Director Steven Lang stated the majority of the work will be completed within the waste water treatment plant fence. He stated there will be one vehicle storage building added outside of the perimeter of the fence.

Moved by Council Member Baker, seconded by Council Member Fischer, adopting a resolution approving a waste water treatment plant real property declaration. Carried 7-0.

Public Works Director Steven Lang requested the Council approve an individual control mechanism agreement for Austin Tank Wash. The agreement details the limitations,

conditions and requirements for sanitary sewer discharges. He stated this agreement would be through December 31, 2026.

Moved by Council Member Fischer, seconded by Council Member Baker, adopting a resolution approving an individual control mechanism agreement with Austin Tank Wash. Carried 7-0.

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

Planning and Zoning Administrator Holly Wallace requested the Council annex a property on 10th Drive SE located in Austin Township for connection to the City sanitary sewer. The property is a multi-unit property. Austin Township will also review the annexation agreement.

Moved by Council Member Fischer, seconded by Council Member Postma, adopting a resolution approving an annexation agreement with Austin Township. Carried 7-0.

Planning and Zoning Administrator Holly Wallace reviewed a fence appeal from Heather Knutson for a six-foot privacy fence installed on the property line of a rear side yard. The property is located on a corner lot and the City ordinance requires a 12.5 foot setback. The Planning Commission reviewed the matter at their May 9, 2023 meeting and recommended approval by a 6-0 vote.

Moved by Council Member Baker, seconded by Council Member Postma, approving a fence appeal from Heather Knutson. Carried.

Planning and Zoning Administrator Holly Wallace reviewed a variance request from Brian Bakken. Mr. Bakken is requesting a variance from the limitation of all accessory structures to 1,800 square feet for properties over one acre in size. He has requested a 240 square foot addition to one of his detached garages. With the proposed addition the lot coverage would be approximately 7%. The Planning Commission reviewed the matter at their May 9, 2023 meeting and recommended approval by a 6-0 vote.

Moved by Council Member Baker, seconded by Council Member Baskin, approving a variance request from Brian Bakken. Carried.

Planning and Zoning Administrator Holly Wallace reviewed a variance request from Thomas and Lisa Dunlop. Mr. and Mrs. Dunlop are requesting a variance from the setback requirement. They are proposing to build an addition on their existing garage which would be within .5 feet of the lot line. Commission reviewed the matter at their May 9, 2023 meeting and recommended approval by a 6-0 vote.

Moved by Council Member Fischer, seconded by Council Member Baskin, approving a variance request from Thomas and Lisa Dunlop. Carried.

Planning and Zoning Administrator Holly Wallace requested the Council approve a notice of

intent to annex a portion of Interstate 90. The notice is mailed to Austin Township and the Municipal Boundary Adjustment Board.

Moved by Council Member Baker, seconded by Council Member Baskin, approving a notice of intent for annexation. Carried 7-0.

Moved by Council Member Fischer, 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 1509 8th Avenue NW, Dutcher Property. Carried.

Moved by Council Member Baskin, 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 1001 23rd Avenue SW, Gustafson Property. 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 808 1st Avenue NW, Gallardo Property. Carried.

CITIZENS ADDRESSING THE COUNCIL

Elaine Hansen thanked the City for its support of Leadership Austin and the upcoming 4th of July parade.

HONORARY COUNCIL MEMBER COMMENTS

Honorary Council Member Denver Ritz appreciated the food insecurity presentation. He noted the Taste of Nations is the upcoming weekend.

REPORTS

City Administrator Craig Clark stated the legislature is still working and hope to have adjournment by May 18th.

Public Works Director Steven Lang stated the electronics recycling event the prior weekend was a success.

Council Member Helle stated there will be an Emerald Ash Borer meeting on May 16th at 6:00 p.m. at IJ Holton school. She encouraged residents to submit a survey on the parks master plan.

Council Member Mike Postma thanked the Common Chords orchestra for playing in Austin. He noted there have been many groundbreakings for new development in town.

Council Member Geoff Baker noted the State of MN is proposing to increase taxes when there is a state surplus. He stated the Mower County CEO trade show is Wednesday, May 17th from 4-7 p.m.

Council Member-at-Large Austin stated the Library construction is scheduled to be completed in June.

Council Member Baskin spoke in support of the Mower County CEO program and he thanked the Park and Rec department for their work in the parks.

Mayor King thanked the Council for their work in the community.

Moved by Council Member-at-Large Austin, seconded by Council Member Poshusta, adjourning the meeting to June 5, 2023. Carried.

Adjourned: 6:29 p.m.

Approved: June 5, 2023

Mayor: _____

City Recorder: _____