

M I N U T E S
CITY COUNCIL MEETING
June 5, 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, Planning and Zoning Administrator Holly Wallace, City Attorney Craig Byram, Library Director Julie Clinefelter and City Clerk Ann Kasel

APPEARING IN PERSON: Austin Daily Herald, Representative Patti Mueller, John Garry, Nancy Schnable, KAUS Radio, Alex Bumgarner, Taggert Medgaarden, Elaine Hansen, Jim Mohn, Jean Kyle, Gary Zimmerman, Neal Erickson, Harlan Griese

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

Added to the agenda:

Consent Agenda Appointments:

Varinh Van Vugt to the Police Commission term expiring 12/31/2025.

Moved by Council Member Baker, seconded by Council Member Postma, approving the agenda as amended. Carried.

Moved by Council Member Baker, seconded by Council Member Fischer, approving Council minutes from May 15, 2023. Carried.

AWARDS AND RECOGNITIONS

Mayor King recognized Judith Villar as the Mayor for the Day.

Mayor King recognized Werhner Schlichter's retirement from the Waste Water Treatment Plant. Werhner thanked the City for the opportunity to serve the public for nearly 40 years.

Nancy Schnable provided a year recap for Discover Austin. She reviewed the organization's major accomplishments including Petunia the Pink Pig, many anniversaries for local businesses, the installation of the large fork at the Hormel Corporate north and recovery from the tourism lull of the pandemic.

John Garry provided an update for the DCA. He reviewed the annual report and strategic plan for the new two years. He stated a highlight of 2022 was the opening of Nu-Tek Biosciences.

CONSENT AGENDA

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

Licenses:

- Commercial Hauler: Redcan, LLC, Osage
- Exempt Gambling (bingo): Mower County Veteran's Council on July 3-4, 2023
- Exempt Gambling (bingo): United Way of Mower County on August 11, 2023
- Lodging Establishment: Alicia Harrison, 1813 2nd Ave SW
- Massage Establishment: Apolo's Serenity Massage, 111 N. Main St., Suite A14
- Massage Therapist: Katy Clark, 329 North Main Street, Suite 203
- Massage Therapist: Mu Kue, 1203 Birch Hill Drive, Albert Lea
- Mobile Business: Casper's Friendly Food Truck & Mr. Taco, Albert Lea
- Mobile Business: Aces Ice Cream, Rose Creek
- Mobile Business: Mimi's Cones, 1208 10th Avenue SW
- Outside Liquor Sales: Eagles on Wednesdays from June 7 – August 30, 2023
- Outside Liquor Sales: Eagles on June 30, 2023
- Residential Hauler: Redcan, LLC, Osage
- Right of Way Contractor: QualTek Wireless, LLC, Blue Bell, PA
- Sign Installer: Signminds, Inc., Minneapolis
- Temporary Liquor: Angry Hog Brewery on July 15, 2023
- Temporary Liquor: Austin Area Chamber of Commerce on July 18, 2023
- Temporary Liquor: Austin Area Commission for the Arts on August 26, 2023
- Temporary Liquor: Austin Area Commission for the Arts on July 25, 2023
- Temporary Liquor: Pacelli Catholic Schools on June 16, 2023
- Temporary Liquor: VFW Post 1216 on July 3 & 4, 2023

Claims:

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

Event Applications:

- 4th Avenue Fest on June 7, 2023
- 4th of July Street Dance on June 30, 2023
- Eagles Car Show – Wednesdays from June 7 – August 30, 2023

Appointments:

Varinh Van Vugt to the Police Civil Service Commission term expiring
12/31/2025

Carried 6-0 with Council Member Helle abstaining.

PUBLIC HEARING

A public hearing was held for a tax abatement request from Elite Choice Builders. City Administrator Craig Clark stated the builder is proposing to construct a duplex home on the property located at 3007 15th Avenue SW valued at \$650,000. He added the application is in conformance with the City's tax abatement policy and requested the Council approve the abatement.

There were no public comments.

Moved by Council Member Baker, seconded by Council Member Postma, approving a five-year tax abatement request from Elite Choice Builders, LLC. Carried 7-0.

PETITIONS AND REQUESTS

Director of Administrative Services Tom Dankert stated the audit report was reviewed at the May 15, 2023 work session. He stated the 2022 general fund expenditures were at 95% and revenues came in at 100%. The City was given a clean audit opinion from CliftonLarsenAllen, LLP.

Moved by Council Member Baker, seconded by Council Member-at-Large Austin, adopting a resolution approving the 2022 audit report. Carried.

Alex Baumgartner stated in 2022 Austin Utilities entered into a prepay gas supply agreement with Minnesota Community Energy. He stated it has become apparent that it would be a financial advantage to ACH the payments for the gas instead of wiring them. The contract needs to be amended to allow for the ACH payments.

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

Moved by Council Member Baker, seconded by Council Member Baskin, for adoption of the ordinance. Carried 7-0.

Public Works Director Steven Lang requested the Council approve an agreement with MnDOT aeronautics for airport maintenance and operations. The City is eligible to receive reimbursement of up to 75% of eligible costs, up to \$51,075 per year.

Moved by Council Member Fischer, seconded by Council Member Baker, adopting a resolution approving a contract with MnDOT Aeronautics for operations and maintenance at the Airport. Carried 7-0.

Public Works Director Steven Lang requested the Council approve an agreement with SEH for the first phase of planning and environmental work for the replacement of the automated weather observation system at the Austin Municipal Airport. Mr. Lang stated MnDOT has indicated that the system needs replacement and the state would fund 70% of the project.

Moved by Council Member Baker, seconded by Council Member Poshusta, adopting a resolution approving a contract with SEH for planning and environmental work for the automated weather observation system at the Austin Municipal Airport. Carried 7-0.

Planning and Zoning Administrator Holly Wallace reviewed an ordinance for adopting a letter of map revision approved by the Federal Emergency Management Agency. She stated the ordinance is required to update our City code to the current FEMA maps.

Public Works Director Steven Lang noted there will be a cost to the City to certify the levees to the FEMA requirements.

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

Moved by Council Member Baker, seconded by Council Member Poshusta, for adoption and publication of the ordinance. Carried 7-0.

City Administrator Craig Clark reviewed a request for \$1,000 of 2023 contingency for conversation benches in the downtown area.

Moved by Council Member Baskin, seconded by Council Member Fischer, approving a funding request for downtown benches in the amount of \$1,000 from 2023 contingency. Carried.

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

City Administrator Craig Clark requested the City renew a lease with the Department of Public Safety for a motorcycle testing course at the Todd Park parking lot.

Moved by Council Member Baker, seconded by Council Member Postma, adopting a resolution approving the third amendment to lease with the Department of Public Safety. Carried 7-0.

Administrative Services Director Tom Dankert requested the Council approve budget adjustment number three to the 2023 budget. He stated the budget modifications include whitewater rafting donations and LOGIS implementation.

Moved by Council Member Baker, seconded by Council Member Fischer, adopting a resolution approving budget adjustment number three. Carried 7-0.

Public Works Director Steven Lang requested the Council approve a limited use permit agreement with MnDOT for the placement of the community sign within the I-90 right-of-way. The agreement states that the City could use the property solely for the purpose of constructing the municipal entrance sign, requires renewal every ten years and the City is responsible of maintenance and repair of the sign.

Council Member Baskin noted the Council has not decided to move forward with the sign yet so why is the Council being asked to approve the permit.

Mr. Lang stated he recently received figures to review with the Hormel Foundation and that information will be brought to Council soon. The limited use permit needs to be approved as part of the I-90 bridge reconstruction project.

Moved by Council Member Fischer, seconded by Council Member Baskin, adopting a resolution approving a limited use permit for a community welcome sign. Carried 6-1 with Council Member Baker voting nay.

Public Works Director Steven Lang stated the City was awarded a grant through the MPCA for a Downtown stormwater resilience plan. This would identify the locations and causes of localized flooding within the downtown area. Mr. Lang recommended awarding the contract to SEH for the plan.

Moved by Council Member Baker, seconded by Council Member Fischer, adopting a resolution approving a contract with SEH, Inc. for the development of the Downtown Stormwater Resilience Plan. Carried 7-0.

City Clerk Ann Kasel requested the Council approve an expanded liquor service area for a new patio for the Downtown Grill.

Moved by Council Member Postma, seconded by Council Member Fischer, adopting a resolution approving a patio liquor service area for the Bicabut, Inc. dba Bakery II Lounge/the Downtown Grill. 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 1010 11th Avenue SW, Johnson Property. Carried.

Moved by Council Member Poshusta, 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 1004 11th Avenue SW, Shawback Property. Carried.

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 811 7th Avenue SW, Soe Property. Carried.

Moved by Council Member Baskin, 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 1007 11th Street NW, Telles 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 911 13th Avenue NE, Walker Property. Carried.

The Council held a discussion regarding the sidewalks on 5th Avenue, 6th Avenue and 20th Street NW. Mayor King stated the City has a complete streets policy but hasn't always been followed by the Council.

Council Member Baker acknowledged that the homeowners know they did not attend any of the public meetings for the street projects. He stated the City is working in neighborhoods where were not specifically designed in the original development. He stated the proposed sidewalks don't benefit the homeowners.

Council Member Helle stated she wants the way the City approaches the street projects to change by providing more information earlier to the property owners.

Jim Mohn, 700 20th Street NE, noted he didn't attend the meeting because it was never presented in the letter to him that a sidewalk about be installed on the south side of this property. He stated he is opposed to the installation of the sidewalk.

Jean Kyle, 602 20th Street NW, stated she is also opposed to the sidewalk installation.

Gary Zimmerman, 2200 6th Avenue NW, stated he attended the meetings and wasn't aware of the sidewalk installation proposal. He stated he is opposed to the sidewalk.

Neal Erickson, 703 20th Street NW, stated he is happy the street is going to be replaced but is opposed to the sidewalk on the project.

Council Member Postma stated he supports the complete streets policy and would like the sidewalk to be put in. He noted he doesn't want to undermine the city staff and their evaluations of the projects.

Council Member Poshusta stated she felt the communication lacked from the City in this instance and would support removing the sidewalk from the project.

Council Member Fischer stated he supports the Engineering department on the project.

After additional discussion, moved by Council Member Baker, seconded by Council Member-at-Large Austin to remove the proposed sidewalk in the 6th Avenue NW right-of-way. Motion carried 4-3 with Council Members Helle, Postma and Fischer voting nay.

CITIZENS ADDRESSING THE COUNCIL

Harlan Greise, 1310 30th Avenue NE, stated the ditch has filled in front of his house. Mr. Lang stated he would visit with Mr. Greise about the matter.

Representative Patti Mueller stated the legislature passed \$14.5 million for the City's Waste Water Treatment Plant project. She noted the City's LGA will be increased for the upcoming years.

HONORARY COUNCIL MEMBER COMMENTS

Honorary Council Member Denver Ritz spoke in support of pride month in Austin and shared his life experiences of being a gay man.

REPORTS

Council Member Fischer thanked the Park and Rec and pool staff for their hard work.

Council Member Baskin thanked City staff for the flowers.

Council Member Baker was excited about automatic vehicle locating.

Council Member Postma thanked Denver for his leadership in the community.

Council Member Helle stated 4th Avenue Fest is Wednesday, June 7th at Horace Austin State Park.

Judith Villar stated she gained a lot of knowledge and was a very interesting meeting.

City Administrator Craig Clark stated the \$14.5 million will reduce the amount that the City needs to borrow for the Waste Water Treatment Plant.

Moved by Council Member Baker, seconded by Council Member Baskin, adjourning the meeting to June 20, 2023. Carried.

Adjourned: 7:26 p.m.

Approved: June 20, 2023

Mayor: _____

City Recorder: _____