

M I N U T E S
CITY COUNCIL MEETING
July 17, 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, Public Works Director Steven Lang, Planning and Zoning Administrator Holly Wallace, Hormel Nature Center Director Luke Reese and City Clerk Ann Kasel

APPEARING IN PERSON: Austin Daily Herald, Taggart Medgaarden, Donald Nystel, Heidi Pepper, Lindsey Brown

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

Added to the agenda:

4. Licenses:
- Edible Cannabinoid: Bell Liquor, 200 South Main Street
 - Mobile Business: Yarn Mobile, LLC, PO Box 423

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

Moved by Council Member Fischer, seconded by Council Member Poshusta, approving Council minutes from July 3, 2023. Carried.

AWARDS AND RECOGNITIONS

Planning and Zoning Administrator Holly Wallace stated the City received a \$500,000 EPA Brownfield assessment grant and Stantec is providing services for the project.

Heidi Pepper and Lindsey Brown provided an EPA Brownfields community wide assessment update. She stated brownfields are properties which have been previously developed and the redevelopment may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant. The City received a \$500,000 grant to identify brownfield sites in the community through November 30, 2025. Ms. Brown identified key areas around

Oakland and 1st Avenue and Main Street. The grant would fund Phase 1 and Phase 2 environmental assessments on identified properties.

CONSENT AGENDA

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

Licenses:

Community Festival: Austin ArtWorks Festival on August 25-27, 2023
Lodging Establishment (transfer): JJKWL Lodges, LLC to Nanbai, LLC
Mobile Food: Red Cedar Organics, LLC, Chetek, WI
Mobile Food: The Wandering Scoop, Rochester
Outside Liquor Sales: B & J Bar on July 28 and 29, 2023
Edible Cannabinoid: Bell Liquor, 200 South Main Street
Mobile Business: Yarn Mobile, LLC, PO Box 423

Claims:

- a. Pre-list of bills
- b. Financial and Investment Reports.

Event Applications:

FITS Employee Appreciation on July 18, 2023
Minnesota Autism Center Open House on July 18, 2023
B & J Summer Parking Lot Party on July 28 and 29, 2023
Oaxacan Community Basketball Tournament on July 29 and 30, 2023
Travis Manion Foundation 9/11 Heroes Run on September 9, 2023

Carried 6-0 with Council Member Helle abstaining.

PUBLIC HEARINGS

A public hearing was held for a five-year tax abatement request from the Austin Housing and Redevelopment Authority. The HRA is proposing to build a single-family home at 903 24th Avenue NW valued at approximately \$350,000. City Administrator Craig Clark stated the application is in conformance with the City's tax abatement policy.

Moved by Council Member Baker, seconded by Council Member Baskin, adopting a resolution approving a five-year tax abatement request from the Austin Housing and Redevelopment Authority. Carried 7-0.

PETITIONS AND REQUESTS

Planning and Zoning Administrator Holly Wallace reviewed a zoning ordinance change petitioned by Schafer Northwest, LLC d/b/a Pulver Towing. She stated the petitioners are requesting to rezone the property from a "B-2" community business district to a "I-1" industrial

district and amend the future land use plan to light industrial. The Planning Commission reviewed the matter at their July 11, 2023 meeting and recommended approval by a 6-0 vote.

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

Moved by Council Member Postma, seconded by Council Member Fischer, for adoption and publication of the zoning ordinance. Carried 7-0.

Planning and Zoning Administrator Holly Wallace reviewed a variance request from the Radhe Shyam Corp. d/b/a One Stop Food Mart. She stated the petitioners have requested to build up to 5.4 feet from the west property line, which is adjacent to residential property. The current ordinance requires a 20-foot setback from a residential property line. The Planning Commission reviewed the matter at their July 11, 2023 meeting. Two adjacent property owners spoke in opposition to the variance stating they were concerned about the property use, increase traffic and a change in sight lines. The Planning Commission voted 6-0 to deny the variance stating the variance would alter the essential character of the locality in which the property is situated. Ms. Wallace noted the petitioners have an alternative plan in the event the variance is not granted which would comply with a 20-foot setback.

City Administrator Craig Clark stated the requested variance is similar to what the Council approved for the Muffler Center recently. He stated it is important to grow the business corridor.

Ms. Wallace noted that the neighbors in the Muffler Center rezone did not object to the variance.

Donald Nystel, 1303 8th Avenue SW, stated the proposed building would be the length of this property line and would impact the enjoyment of his property.

Council Member Baskin stated he tends to defer to the Planning Commission decision and would also like to deny the variance.

Moved by Council Member Baskin, seconded by Council Member Poshusta, denying a variance request from the One Stop Food Mart. Carried.

Public Works Director Steven Lang requested the Council approve an individual control mechanism agreement (ICM) with WCI Austin Landfill, LLC. She stated the City has been accepting leachate from the landfill since 2011 and the agreement sets forth the pollutant levels for the leachate being brought to the waste water treatment plant. The agreement is for a three-year term.

Moved by Council Member Baskin, seconded by Council Member Fischer, adopting a resolution approving an ICM agreement with WCI Austin Landfill, LLC. Carried 7-0.

Public Works Director Steven Lang requested the Council approve engineering planning and design services for the Oakland Avenue West and 1st Avenue SW reconstruction project. He stated the streets are scheduled to be reconstructed in 2025 and 2027 and the City has received

federal grants for the projects. The City received the following proposals for engineering services:

Consultant	Proposed Amount
WHKS & Co.	\$ 795,700
SEH, Inc.	\$ 995,288
Bolton & Menk	\$1,188,134

He noted that a portion of the proposal amount will be allocated to Austin Utilities thereby bringing the total low bid to \$744,820.

Mr. Lang requested the Council approve the contract with WHKS & Co.

Council Member Postma asked about the timing of their reconstruction with the replacement of the I-90 bridges.

Mr. Lang stated the start of the project is locked in to begin in 2025.

Council Member Baker requested if there is a better way to reduce consultant fees on the project.

Mr. Lang stated the engineering department does not have the staff available for the large projects. He noted there will need to be surveying and soil borings completed on the project.

Council Member Baskin asked what makes this project so much different.

Mr. Lang stated the City generally completes low volume residential streets and these streets are commercial and major arteries through town.

Moved by Council Member Fischer, seconded by Council Member Helle, approving a contract for engineering services with WHKS for the Oakland Avenue West and 1st Avenue SW reconstruction project. Carried 7-0.

Police Chief David McKichan requested permission to purchase a drone for the police department with 2023 budget savings in the amount of \$3,521. The drone would be designed for interior searches.

Moved by Council Member Baskin, seconded by Council Member Baker, approving the purchase of a drone by the Police Department. Carried.

Hormel Nature Center Director Luke Reese requested the Council approve a grant application with the Greater Minnesota Regional Parks and Trails for intern funding at the Jay C. Hormel Nature Center.

Moved by Council Member Baker, seconded by Council Member Baskin, adopting a resolution approving a Greater Minnesota Legacy Grant application for a Jay C. Hormel Nature Center supplemental teaching staff project. Carried 7-0.

Moved by Council Member Fischer, seconded by Council Member Poshusta, adopting a resolution declaring the property at 613 10th Drive SE a hazardous structure. Carried 7-0.

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 707 6th Avenue SW, Batikare Property. Carried.

REPORTS

Tom Schulte, President Local Firefighters 598, stated the 2023 IMFF convention will be held in September in Austin. He invited the Council to live fire training Saturday, September 9th.

Mayor King noted the City is accepting applications for an honorary council member.

Council Member Baskin congratulated Games People Play for their 40 years in Austin.

Council Member-at-Large Austin reported the summer programming at the library is going well.

Council Member Postma thanked the City staff for their hard work on the 4th of July. He stated the Austin Country Club is hosting junior golfers.

Council Member Helle noted the Parks and Recreation Director Dave Merrill will be leaving the City and she wished him well. She recommended the City hire an interim director from outside the City on a short-term basis.

Mayor King noted Council, the Port Authority and staff toured the Mill on Main apartments.

Moved by Council Member Fischer, seconded by Council Member Baker, adjourning the meeting to August 7, 2023. Carried.

Adjourned: 6:34 p.m.

Approved: August 7, 2023

Mayor: _____

City Recorder: _____