

M I N U T E S  
CITY COUNCIL MEETING  
August 21, 2023  
5:30 PM  
Council Chambers

MEMBERS PRESENT: Mayor King. Council Members Paul Fischer, Laura Helle, Jason Baskin, Michael Postma, Joyce Poshusta, Geoff Baker

MEMBER APPEARING  
ELECTRONICALLY: 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, Assistant City Engineer Mitch Wenum, City Attorney Craig Byram, Library Director Julie Clinefelter, and City Clerk Ann Kasel

APPEARING IN PERSON: Austin Daily Herald, KAUS Radio, KAAL TV, Elaine Hansen, Nate Smit, Nancy Schnable, Saville Lord, Tim Ruzek, John Martin, Deanna Ryther, Dixie Gilbertson, David Raffleson, Charles Mills, Public

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

Consent Agenda Addition

(mot) 4. Licenses:  
Temporary Liquor: Austin Area Commission for the Arts on November 18, 2023  
Edible Cannabinoid: Snak Atak Liquor, 903 West Oakland Avenue  
Tobacco: Snak Atak Liquor, 903 West Oakland Avenue

(res) 15. Granting a hard liquor on-sale license to Austin Bruins, LLC dba Austin Bruins.

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

Moved by Council Member Baker, seconded by Council Member Fischer, approving Council minutes from August 7, 2023. Carried.

CONSENT AGENDA

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

Licenses:

Edible Cannabinoid: Snak Atak #21, 901 West Oakland Avenue  
Edible Cannabinoid: Snak Atak #22, 3011 West Oakland Avenue  
Food (transfer): Snak Atak #21, 901 West Oakland Avenue  
Food (transfer): Snak Atak #22, 3011 West Oakland Avenue  
Gas Station (transfer): Snak Atak #21, 901 West Oakland Avenue  
Gas Station (transfer): Snak Atak #22, 3011 West Oakland Avenue  
Mobile Food: Crock and Roll, Little Falls  
Tobacco (transfer): Snak Atak #21, 901 West Oakland Avenue  
Tobacco (transfer): Snak Atak #22, 3011 West Oakland Avenue  
Temporary Liquor: Austin Area Commission for the Arts on November 18, 2023  
Edible Cannabinoid: Snak Atak Liquor, 903 West Oakland Avenue  
Tobacco: Snak Atak Liquor, 903 West Oakland Avenue

Claims:

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

Event Applications:

Austin ArtWorks Festival on August 25-27, 2023  
Wyatt Strong Boys Hockey Fundraiser on September 16, 2023

Carried 6-0 with Council Member Helle abstaining.

## PETITIONS AND REQUESTS

Director of Administrative Services Tom Dankert reviewed the 10 projects that have been submitted by staff for the 2024 Hormel Foundation. The Council ranked the projects in the following order:

CHIP Program - \$225,000  
Emerald Ash Borer treatment and tree planting - \$75,000  
Single Family Lot Incentive - \$200,000  
Bandshell/Community Park ADA & Access Improvements - \$71,250  
Delivering the Data: Hotspot Data Plans 2024 - \$60,000  
Riverside Arena Handicapped Elevator Lift - \$50,000  
Jay C. Hormel Nature Center Education Programs - \$50,000  
Fire Prevention and Education - \$5,000  
Ruby Rupner Facility Upgrades - \$75,000  
Hormel Nature Center Radios - \$13,000

Mr. Dankert also noted there is a quality-of-life grant in the amount of \$97,078 that is funneled through the City for the benefit of the 4<sup>th</sup> of July fireworks and the Austin Artworks Center.

Moved by Council Member Baker, seconded by Council Member Postma, adopting a resolution approving Hormel Foundation grant request rankings. Carried.

Moved by Council Member Fischer, seconded by Council Member Poshusta, adopting a resolution approving Austin Utilities service territory expansion. Carried 7-0.

Moved by Council Member Baker, seconded by Council Member Fischer, adopting a policy for outside entity participation. Carried.

Moved by Council Member Fischer, seconded by Council Member Postma adopting a resolution approving a memorandum of agreement with Hormel Foods for the bike skills course. Carried 7-0.

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

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

Moved by Council Member Fischer, seconded by Council Member Poshusta, for preparation of the cannabis and cannabinoid products use ordinance. Carried.

Moved by Council Member Baker, seconded by Council Member Fischer, for adoption and publication of the cannabis and cannabinoid products use ordinance. Carried 7-0.

Public Works Director Steven Lang requested the Council approve a limited use permit with the Minnesota Department of Transportation for the construction of pedestrian trails and sidewalk within the I-90 right of way as part of the bridge replacement projects. He stated there are multiple locations for the sidewalks and trails and the limited use permit would be in effect for 10 years. The City would be responsible for the construction of the trails.

Moved by Council Member Baker, seconded by Council Member Fischer, adopting a resolution approving a limited use permit with MnDOT for the I-90 bridge replacement project. Carried 7-0.

City Clerk Ann Kasel requested the Council approve a liquor license for an off-sale liquor license for Apollo Retail, LLC dba Snak Atak Liquor.

Moved by Council Member Poshusta, seconded by Council Member Baskin, adopting a resolution approving an off-sale liquor license to Apollo Retail, LLC dba Snak Atak Liquor #3. Carried 7-0.

City Administrator Craig Clark the Council approve a resolution modifying UAW Parks' participation in their post-retirement healthcare savings plan. The UAW requested the change and it is at no cost to the City.

Moved by Council Member Baker, seconded by Council Member Postma, adopting a resolution approving a memorandum of agreement with UAW 867 Parks for their participation in the Minnesota State retirement system health care savings plan. 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 406 2<sup>nd</sup> Street SE, Raygor Property. Carried.

Moved by Council Member Postma, seconded by Council Member Fischer, approving an on-sale liquor license to Austin Bruins, LLC dba Austin Bruins. Carried 7-0.

#### CITIZENS ADDRESSING THE COUNCIL

Charles Mills, addressed concerns about the City Charter and would like the charter clarified.

John Martin, noted the issues in the City and the community need to be fixed and was concerned about the marijuana laws.

Dixie Gilbertson, 2401 11<sup>th</sup> Avenue SW, stated the community would like to be informed as to what is happening with Park and Rec in the community.

Deanna Ryther, Lansing Township, would like consistent transparency for the community. She also appreciated the State in legalizing cannabis.

David Raffleon, 1110 5<sup>th</sup> Street NW, would like the issue with the Park and Rec charter and City charter resolved.

Mayor King thanked the citizens for their comments. He stated the charter issues are being discussed. He stated the Council has provided an opinion as to the ultimate leader of the City. He encouraged people with passion for the City will use that passion for the betterment of the City.

#### REPORTS

Council Member Poshusta thanked the community for showing up to the meeting and she agreed that there would be work for the clarification of the charter issue.

Council Member Fischer thanked the individuals for showing up to the meeting.

Council Member Baskin also thanked the community for coming and thanked the Mayor for the statement. He added there is two sides to every story and the City Council spent many hours behind the scene trying to work with the Park and Rec Board. He stated the City Attorney has issued a clear opinion on the issue.

Council Member Baker stated he is sorry the issue got to this point and noted there is work to do on the charter.

Council Member Postma stated he appreciated the Mayor's statement. He stated this has been worked on behind the scenes since his time on Council.

Council Member Helle thanked Randy Hofner and crew for their hard work for the Austin Artworks Festival. She also noted the mural on the pool building is being completed. She also encouraged citizens to serve on boards and commissions.

Moved by Council Member Baker, seconded by Council Member Postma, adjourning the meeting to September 5, 2023. Carried.

Adjourned: 6:10 p.m.

Approved: September 5, 2023

Mayor: \_\_\_\_\_

City Recorder: \_\_\_\_\_