

M I N U T E S
CITY COUNCIL MEETING
October 16, 2023
5:30 PM
Council Chambers

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

MEMBERS ABSENT: Council Member Geoff Baker

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

APPEARING IN PERSON: Austin Daily Herald, Eric Nelson, Honorary Council Member An Le

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

Agenda Additions:

- 18. Approving memorandums of agreement from bargaining groups.
 - (res) c. Approving a MOA with AEA.
 - (res) d. Approving a MOA with UAW Street and Sewer Maintenance.
 - (res) e. Approving a MOA with UAW Waste Water Treatment Plant.
 - (res) f. Approving a MOA with UAW Parks.
 - (res) g. Approving a MOA with Austin Associates Organization.
- (res) 19. Approving an off-site bingo event for Austin Youth Hockey Association, Inc.

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

Moved by Council Member Baskin, seconded by Council Member Fischer, approving Council minutes from October 2, 2023. Carried.

CONSENT AGENDA

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

Claims:

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

Reappointment:

Kris Heichel to the Austin/Mower County Homeownership Board term ending 12/31/26

Carried.

PETITIONS AND REQUESTS

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

City Administrator Craig Clark stated the City will receive \$120,070 in affordable housing aid from the State of Minnesota in 2023. The funds must be used for qualifying housing projects. Mr. Clark stated the City would like to allocate the funding to the HRA to use for upcoming forfeited housing projects subject to the approval of the County Board conveying two parcels to the City of Austin.

Council Member Postma stated he would like the approval also conditional upon approval from the HRA Board for the project.

Moved by Council Member Fischer, seconded by Council Member Postma, adopting a resolution accepting and allocating statewide affordable housing aid. Carried 6-0.

Moved by Council Member Postma, seconded by Council Member Fischer, adopting a resolution approving the County Board's classification of forfeited tax property, public sale of said property and declaring the City's intention to reassess unpaid assessments. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Baskin, adopting a resolution approving the County Board's classification of forfeited tax property and declaring the City's intention to redevelop property. Carried 6-0.

Administrative Services Director Tom Dankert requested the Council approve an annual insurance document stating that the City does not waive the statutory tort limits for liability.

Moved by Council Member Fischer, seconded by Council Member Postma, authorizing the City Recorder to sign a waiver stating the City does not waive the statutory tort limits. Carried.

City Clerk Ann Kasel reviewed an ordinance for the repeal of food service licensing. She stated the State requested the City stop requiring a food license since the inspection is being done at the State level. Ms. Kasel noted this will have a \$10,000 impact on the 2024 budget.

Council Member Baskin asked if there is another type of tool the City can use to regulate food

businesses.

City Attorney Craig Byram stated some smaller cities have a general business license but that wouldn't be helpful if there was a food license violation.

Moved by Council Member-at-Large Austin, seconded by Council Member Poshusta, for preparation of the ordinance. Carried 6-0.

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

City Clerk Ann Kasel requested the Council approve a resolution expanding the liquor service premises for the Hormel Historic Home to include their patio and garden area.

Moved by Council Member Baskin, seconded by Council Member Postma, adopting a resolution expanding the Hormel Historic Home, Inc. liquor license to the patio and garden area. Carried 6-0.

Planning and Zoning Administrator Holly Wallace reviewed a fence appeal from David Lammers. This is the second time the Council has reviewed this issue. On September 16, 2023, the Council referred the matter back to the Planning Commission for additional consideration of concerns of driver visibility from the City Engineer. The Planning Commission reviewed the fence appeal again at their October 10, 2023 meeting and approved the request for a privacy fence over six feet tall within the 12.5 foot setback area of a side yard on a 6-0 vote with the condition that no additional landscaping be done on the east side of the property.

Council Member Postma asked if the sign conditions at the intersection created concern with the Planning Commission.

Ms. Wallace stated the Planning Commission looked at the sight lines at the intersection at their first review and didn't find it as an issue. They did implement the condition for no additional landscaping on the east side of the property so sight lines do not become an issue.

Moved by Council Member Poshusta, seconded by Council Member-at-Large Austin, approving a fence appeal from David Lammers with the condition that no additional landscaping take place on the east side of the property. Carried.

City Administrator Craig Clark requested the Council approve alcohol service at the Ruby Rupner Auditorium on October 30, 2023 for a Southeastern League of Municipalities meeting.

Moved by Council Member Fischer, seconded by Council Member Helle, approving liquor service at the Ruby Rupner Auditorium on October 30, 2023. Carried.

Public Works Director Steven Lang requested the Council approve a new contract with SEH for the design on an automated weather observation system at the Austin Municipal Airport. Mr. Lang stated the Council originally approved a contract by resolution in June of 2023 with a 70% State and 30% local cost split. Mr. Lang stated the State developed a new policy where they

would pay for 100% of the costs associated with automated weather observation system project. He requested the Council rescind the resolution from the previous contract approval and approve a new contract in the amount of \$68,000 paid for by the State.

Moved by Council Member-at-Large Austin seconded by Council Member Postma, rescinding resolution 16786. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Postma, approving a contract with SEH for planning and environmental work at the Austin Municipal Airport for an automated weather observation system. Carried 6-0.

Assistant City Engineer Mitch Wenum requested the Council approve an amendment with a contract with WHKS to include topographic survey services on 1st Avenue SW. He stated staff does not have the time to complete the work. The proposal for the survey services is \$14,500.

Moved by Council Member Baskin, seconded by Council Member Poshusta, approving an amendment to a contract with WHKS for topographic survey services on 1st Avenue SW. Carried 6-0.

Assistant City Engineer Mitch Wenum requested the Council approve two proposals with American Engineering Testing for geotechnical services. The first is for Oakland Avenue & 1st Avenue SW in the amount of \$11,325 and the second for the 2024 local street projects in the amount of \$6,770. He stated American Engineering Testing will perform soil borings and provide a report summarizing their recommendations based on existing soil conditions for pavement design and underground utility construction.

Moved by Council Member Baskin, seconded by Council Member Postma, approving geotechnical services on Oakland Avenue & 1st Avenue SW and the 2024 street construction projects with American Engineering Testing. Carried 6-0.

City Administrator Craig Clark requested the Council set insurance rates for the 2024 health insurance amounts. He requested the Council approve the rates for non-bargaining employees and union groups.

Moved by Council Member Fischer, seconded by Council Member Helle, adopting a resolution approving health insurance plans, qualification and rates for 2024. Carried 6-0.

Moved by Council Member Postma, seconded by Council Member Fischer, adopting a resolution approving health insurance premium contributions and terms for non-bargaining unit employees. Carried 6-0.

Moved by Council Member Austin, seconded by Council Member Fischer, adopting a resolution approving a MOA with LELS. Carried 6-0.

Moved by Council Member Postma, seconded by Council Member Fischer, adopting a resolution approving a MOA with IAFF. Carried 6-0.

Moved by Council Member Postma, seconded by Council Member Fischer, adopting a resolution approving a MOA with AEA. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Helle, adopting a resolution approving a MOA with UAW Street and Sewer Maintenance. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Postma, adopting a resolution approving a MOA with UAW Waste Water Treatment Plant. Carried 6-0.

Moved by Council Member Postma, seconded by Council Member Fischer, adopting a resolution approving a MOA with UAW Parks. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Helle, adopting a resolution approving a MOA with Austin Associates Organization. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Poshusta, adopting a resolution approving an off-site bingo event for Austin Youth Hockey Association, Inc. Carried 6-0.

CITIZENS ADDRESSING THE COUNCIL

Eric Nelson, 1615 19th Street NW, Rochester, asked for clarity on the City's marijuana moratorium.

Mayor King stated the City adopted a moratorium until January 2025.

REPORTS

Council Member Baskin noted there was a Minnesota Public Radio piece on the proposed Whitewater Trail featuring Mitch Wenum.

Council Member-at-Large Austin stated he recently attended a Library Board meeting and the Board wanted the Council to know Library Director Julie Clinefelter will be making a presentation at the National Library Board conference. They noted Ms. Clinefelter is doing an excellent job.

Council Member Postma stated he is excited to for the HRA board to review the housing rehabilitation project. He also noted that Sara Wilson with Discover Austin will be taking a job with Mower County.

Council Member Helle stated the Culture and Arts Committee applied for funding for an artist created pollinator mural near the Municipal Pool building. The Park and Rec Department is working on scheduling a second round of interviews. She noted the Council approved the new health care agreement for employees and some employees had questioned why the agreement was only for one year. She stated her opinion that the new agreement is a minimum standard

going forward. She also stated that she is committed to fixing the culture issue at the City. Council Member Helle also read the October employment anniversaries.

Honorary Council Member An Le stated the recent pride event went very well with 800 people in attendance.

Moved by Council Member-at-Large Austin, seconded by Council Member Baskin, adjourning the meeting to November 6, 2023. Carried.

Adjourned: 6:06 p.m.

Approved: November 6, 2023

Mayor: _____

City Recorder: _____