

M I N U T E S
CITY COUNCIL MEETING
December 18, 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, City Attorney Craig Byram, Library Director Julie Clinefelter, and City Clerk Ann Kasel

APPEARING IN PERSON: Austin Daily Herald, Paul Manocchio, Paul Swan, Walt Alms, Public

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

Addition to the agenda:

Licenses:

See additional upload in Consent Agenda folder

Appointment:

Valerie Sheedy to the Library Board – term expiring December 31, 2026

Melissa Bonorden to the Library Board – term expiring December 31, 2024

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

Moved by Council Member Fischer, seconded by Council Member Baker, approving Council minutes from December 4, 2023 and December 6, 2023. Carried.

RECOGNITIONS AND AWARDS

Council Member Geoff Baker recognized Steven Lang for the sale of a 2006 plow stating it was sold for more than he anticipated.

CONSENT AGENDA

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

2024 License renewals (*complete list in the consent agenda folder*)

Claims:

- a. Pre-list of bills
- b. Credit Card, Investment and Financial Report.

Making the following appointments and reappointments to Boards and Commissions:

- a. Gregg Gaffney to the Cable TV Committee – term expiring 12/31/2026
- b. Paul Spyhalski to the Fire Civil Service Commission – term expiring 12/31/2026
- c. Vickie Spyhalski to the Human Rights Commission – term expiring 12/31/2026
- d. Bridget Halvorson to the Human Rights Commission – term expiring 12/31/2026
- e. Arkaysia Hampton to the Human Rights Commission – term expiring 12/31/2026
- f. ~~Melissa Bonorden to the Library Board – term expiring 12/31/2026~~
- g. Jwokamer Debok to the Library Board – term expiring 12/31/2026
- h. Edward Hinchcliffe to the Library Board – term expiring 12/31/2026
- i. Nicholas Johnsen to the Park and Recreation Board – term expiring 12/31/2028
- j. Kelsie Ritchie to the Pillars of the City Board – term expiring 12/31/2026
- k. Daphne Wagner to the Pillars of the City Board – term expiring 12/31/2026
- l. Steve Kime to the Pillars of the City Board – term expiring 12/31/2026
- m. Melissa Swenson to the Planning Commission – term expiring 12/31/2027
- n. Brent Gunderson to the Police Civil Service Commission – term expiring 12/31/2026
- o. Lee Bjorndal to the Port Authority – term expiring 12/31/2029
- p. Matthew Talmadge to the Culture and Arts Commission – term expiring 12/31/2026
- q. Geoff Smith to the Culture and Arts Commission – term expiring 12/31/2026
- r. Stephen King to the Part Time Fire Relief Trustees – term expiring 12/31/2024
- s. Tom Dankert to the Part Time Fire Relief Trustees – term expiring 12/31/2024
- t. James McCoy to the Part Time Fire Relief Trustees – term expiring 12/31/2024
- u. Valerie Sheedy to the Library Board – term expiring December 31, 2026
- v. Melissa Bonorden to the Library Board – term expiring December 31, 2024

Carried 6-0 with Council Member Helle abstaining.

PUBLIC HEARINGS

A public hearing was held for the adoption of the five-year capital improvement plan. Director of Administrative Services Tom Dankert stated the plan sets forth \$176,567,170 of purchases over the next five years. Adoption of the plan give staff specific authorization to purchase the items specified for 2024.

Mayor King noted there were some residents in the audience that were concerned about the installation of sidewalk on their properties in 2024.

Paul Manocchio, 1910 9th Street SW, was concerned about the possibility of sidewalk in his neighborhood. He stated he surveyed 35 homeowners and of the responses he received, 29 were against it, one was for it and one was on the fence. He stated he does not see the need for sidewalk in the neighborhood.

Paul Swan, *no address given*, stated he is happy with the feel of their lot and doesn't want it changed. He also was concerned about maintenance of the sidewalk.

Walt Alms, 1912 9th Avenue SW, stated none of the sidewalks in the area are complete and doesn't feel the need for additional sections of incomplete sidewalk.

There were no additional public comments.

Moved by Council Member Baker, seconded by Council Member Postma, adopting a resolution authorizing the 2024-2028 Capital Improvement Plan. Carried 7-0.

BID OPENING AND AWARD

The City received bids for EQ digester cover #1 replacement. The following bids were received:

Bidder	Base Bid	Alternate #1
Wapasha Construction Co.	\$2,764,000	(\$20,000)
The Joseph Company, Inc.	\$3,131,000	No Bid
Market & Johnson	\$3,499,000	No Bid

Public Works Director Steven Lang stated work will consist of removal of the existing damaged cover and replacement with a new metal floating cover and mixers. Mr. Lang recommended awarding the base bid to Wapasha Construction Co. Inc. with funding coming from the industrial plant budget.

Moved by Council Member Baker, seconded by Council Member Postma, adopting a resolution awarding the base bid for EQ Digester cover # 1 to Wapasha Construction Company, Inc. Carried 7-0.

Public Works Director Steven Lang requested the Council approve an amendment to an agreement with Hormel Foods for the waste water treatment plan agreement. The amendment states Hormel Foods would be 100% responsible for the costs arising from the design, planning, engineering, construction and financing of the EQ digester #1 West replacement project.

Moved by Council Member Fischer, seconded by Council Member Poshusta, adopting a resolution approving an amendment to the waste water treatment plant agreement with Hormel Foods. Carried 6-0 with Council Member Baskin abstaining.

Public Works Director Steven Lang requested the Council approve a contract with SEH, Inc. for construction management and inspection on the EQ Digester project in the amount of \$120,000. He stated the cost for the work would be covered by industrial plant funds.

Moved by Council Member Baker, seconded by Council Member Postma, adopting a resolution approving a consulting services contract with SEH, Inc. for construction inspection services on the EQ Digester project. Carried 7-0.

PETITIONS AND REQUESTS

Director of Administrative Services Tom Dankert requested the Council approve the 2024 tax levy in the amount of \$8,752,000.

Moved by Council Member-at-Large Austin, seconded by Council Member Poshusta, adopting a resolution approving the tax levy for 2024. Carried 6-1 with Council Member Baskin voting nay.

Director of Administrative Services Tom Dankert requested the Council approve the 2024 budget in the amount of \$46,002,529.

Moved by Council Member Fischer, seconded by Council Member Helle, adopting a resolution adopting the budget for 2024. Carried 7-0.

Director of Administrative Services Tom Dankert requested the Council cancel certain ad valorem tax levies for 2024 because there is sufficient fund balance to cover the payments on the bonds.

Moved by Council Member Baker, seconded by Council Member Baskin, adopting a resolution authorizing the cancellation of certain ad valorem tax levies. Carried 7-0.

Director of Administrative Services Tom Dankert stated during the last legislative session \$210 million was approved for public safety aid with \$1,159,298 expected to come to the City of Austin. The Police Department has requested \$104,300 for new squad car cameras and the remainder of the funds would be deposited into the Fire Fleet fund to help pay for the \$1.6 million dollar fire truck in 2024. He stated if the Council agrees with that proposal then they would move \$725,000 out of the Fire Fleet Fund into the CIP Revolving Fund for other Council approved projects. He stated those changes would be on the next Council meeting.

Moved by Council Member Fischer, seconded by Council Member Postma, adopting a resolution approving budget adjustment number 5 – public safety aid transfers. Carried 7-0.

Moved by Council Member Baker, seconded by Council Member Postma, adopting a resolution granting renewals of 2024 licenses for the sale of hard liquor on-sale, Sunday hard liquor on-sale, Sunday wine on-sale and 3.2 beer on and off-sale. Carried 7-0.

Moved by Council Member Baker, seconded by Council Member Poshusta, adopting a resolution granting a 2023 Sunday hard liquor on-sale license to Cuatro Copas Bar and Lounge, LLC. Carried 7-0.

Director of Administrative Services Tom Dankert requested the Council designate the official newspaper for 2024. He stated the rate for 2024 is frozen at \$5.64 per column inch.

Moved by Council Member Postma, seconded by Council Member Fischer, designating the Austin Daily Herald as the official newspaper for 2024. Carried.

Moved by Council Member Baker, seconded by Council Member Postma, adopting a resolution approving an agreement for transfer of service territory rights between Austin Utilities and Freeborn Mower Electric Cooperative. Carried 7-0.

Public Works Director Steven Lang detailed the change orders to the Waste Water Treatment Plant project. He stated the total change orders will result in a \$361,462.13 cost increase to the domestic budget and a \$113,175.87 increase to the industrial budget. He stated the change orders have been approved by SEH and Hormel Foods.

Moved by Council Member Baker, seconded by Council Member Postma, adopting a resolution approving change order number two for the Waste Water Treatment Plant project. Carried 7-0.

Public Works Director Steven Lang requested the Council approve an individual control mechanism agreement with WCI Lansing Landfill. He stated the City accepts leachate from the landfill at the waste water treatment plant. He stated the Landfill will need to develop a PFAS management plan by July 1, 2024 with implementation of the plan completed by December 31, 2025. The ICM agreement specifies the pollutant level limits for the leachate and established flow limits.

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

Public Works Director Steven Lang requested the Council approve an individual control mechanism agreement for Nu-Tek Biosciences. He stated the agreement sets forth the limitations, conditions and requirements for the company's sanitary sewer discharge. He stated the City has been doing 6-month ICM's for the company since they are new to Austin and haven't developed a long discharge history. Mr. Lang recommended approving the agreement which runs through June 30, 2024.

Moved by Council Member Postma, seconded by Council Member Baskin, adopting a resolution approving an ICM agreement with NuTek Biosciences. Carried 7-0.

Public Works Director Steven Lang requested the Council approve an individual control mechanism agreement for G & R Truck Wash. He stated the agreement sets forth the limitations, conditions and requirements for the company's sanitary sewer discharge. Mr. Lang recommended approving the agreement which runs through December 31, 2026.

Moved by Council Member Postma, seconded by Council Member Poshusta, adopting a resolution approving an ICM agreement with G & R Truck Wash. Carried 7-0.

Public Works Director Steven Lang requested the Council approve an individual control mechanism agreement for International Paper. He stated the agreement sets forth the limitations, conditions and requirements for the company's sanitary sewer discharge. Mr. Lang recommended approving the agreement which runs through December 31, 2025.

Moved by Council Member Baskin, seconded by Council Member Fischer, adopting a resolution approving an ICM agreement with International Paper. Carried 7-0.

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

Human Resources Director Trish Wiechmann requested the Council adopt a resolution setting the 2024 seasonal, temporary and part-time wage rates.

Moved by Council Member Baker, seconded by Council Member Baskin, adopting a resolution approving the 2024 seasonal and part time wage resolution. Carried 7-0.

Human Resources Director Trish Wiechmann stated the City is required to change its sick leave policy to comply with new Minnesota laws. The proposed earned sick and safe leave policy will replace the City's current policy. The new policy states that anyone who works at least 80 hours a year is entitled to sick leave. The policy would be effective January 1, 2024.

Council Member Baskin asked if it applies to part time employees.

Ms. Wiechmann affirmed it does and applies to all employees that work over 80 hours in a year.

Moved by Council Member Fischer, seconded by Council Member Helle, adopting an earned safe and sick policy. Carried.

Human Resources Director Trish Wiechmann presented a revised vehicle use and take home policy. He stated the supervisors that respond to emergency situations will now be required to be taxed on \$3.00 per day for their use of the vehicle. Previously, supervisors were not taxed anything for the use of the vehicles.

Council Member Postma stated he has heard concerns from employees that this change will impact them financially. However, if the Council doesn't approve the policy then the employees would need to pay tax on the mileage as the federal reimbursement rate so adopting the policy is the better option. He stated the Council will be working on making employees whole.

Moved by Council Member Helle, seconded by Council Member Baskin, adopting a revised vehicle use policy and new take home vehicle policy. Carried 7-0.

Mayor King read a summary of the closed meetings held on December 5, 2023 for the evaluation of Craig Clark and Trish Wiechmann. The Council generally supported Mr. Clark and suggested additional training and communications assistance. Mr. Clark will also have a 360 degree evaluation. The Council stated Ms. Wiechmann reports to Mr. Clark and concerns about her job performance should be directed to him.

REPORTS

City Administrator Craig Clark thanked the Council and employees for attending the department meetings. He stated he took many things away from the meetings such as the need for professional development, staff recognition, organizational trust and better communication. He acknowledged that the City will need outside support to make things better.

Council Member Poshusta stated she has goals for 2024 for the City which include excellence, engagement, communications and transparency and to enhance culture. She thanked Ann Kasel for her ten years of service to the City.

Council Member Fischer thanked city employees for their dedication to the feedback meetings.

Council Member Baskin thanked Ann Kasel for her services and read the work anniversaries for the City of Austin.

Council Member-at-Large Austin thanked the City employees for their participation in the group sessions and Ann Kasel for her time at the City.

Council Member Baker noted the employee meetings were painful but he was very impressed with how well prepared the employees were.

Council Member Postma stated the Discover Austin 2024 visitors guide is now available and he thanked the employees for attending the meetings.

Council Member Helle reported that the Hormel Nature Center Interpretive Center will now be closed on Sundays. Jason Sehon will come on as the Parks and Recreation Director at the end of the year and there will be a public reception for him on January 2nd at City Hall at 4 pm. She thanked employees for taking the time to come to the department meetings. She noted the leadership team is out of balance and is missing communication and interpersonal relationships at the highest level at the City.

Mayor King thanked the Council for making the department meetings a priority and thanked the employees for attending. He noted that he appreciated the entire waste water treatment plant department showed up to the holiday mixer and thanked all employees that attended.

Moved by Council Member-at-Large Austin, seconded by Council Member Baskin, adjourning the meeting to January 2, 2024. Carried.

Adjourned: 6:33 p.m.

Approved: January 2, 2024

Mayor: _____

City Recorder: _____