

M I N U T E S  
CITY COUNCIL MEETING  
March 18, 2024  
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, Fire Chief Jim McCoy, Public Works Director Steven Lang, Assistant City Engineer Mitch Wenum, Planning and Zoning Administrator Holly Wallace, Park and Rec Director Jason Sehon, Human Resources Director Tricia Wiechmann, and Library Director Julie Clinefelter

APPEARING IN PERSON: Austin Daily Herald, KAUS Radio, Honorary Council Member Miguel Garate, Honorary Mayor for the Day Ailani Thiravong

Mayor King called the meeting to order at 5:30 p.m. Mayor King introduced Mayor for the Day Ailani Thiravong and welcomed back Honorary Council Member Miguel Garate.

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

Moved by Council Member Baker, seconded by Council Member Fischer, approving Council minutes from March 4, 2024. Carried.

#### CONSENT AGENDA

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

Licenses:

- Tree Service: PSquared, LLC (Austin, MN)
- Right of Way: Matyas Electric (Austin, MN)
- Cigarette & Gas Station (transfer): Applegreen Midwest LLC to CAPL Retail LLC

Claims:

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

Event Applications:

Shamrockin' Run, 5k & 1k, Pacelli Booster Club on April 13<sup>th</sup>, 2024

Travis Manion Foundation 9/11 Heros Run, 5k, Walk, Ruck on September 14<sup>th</sup>, 2024

Carried.

Assistant City Engineer Director Mitch Wenum spoke about the public hearing on street improvements on 8<sup>th</sup> Street NE (16th Avenue to 18th Avenue NE) & Lift Station Construction at 16th Avenue & 8th Street NE, Project 23104 & 23201. The amount to be assessed is \$151,376.36 at 5.25% for 15 years. He stated that there have been no written objections to this project. There were no public comments.

Moved by Council Member Baker, Seconded by Council Member Fischer, adopting a resolution declaring the cost of Project 23104 & 23201. Carried 7-0

Moved by Council Member Baker, Seconded by Council Member Postma, adopting a resolution adopting the assessment roll of Project 23104 & 23201. Carried 7-0

Assistant City Engineer Mitch Wenum spoke about the public hearing on street improvements on 9th Street SW (17th Avenue to 22nd Avenue SW) & 12th Street SW, (17th Avenue to 21st Avenue SW), Project 24101. The amount to be assessed is \$309,757.67 at 5.25% for 15 years. He stated that there have been no written objections to this project.

Sandra Lindquist, 1003 21<sup>st</sup> Ave SW, wanted to clarify if there would be sidewalks put in her street and what company would be doing the street work. Mayor King responded and stated that there would be no sidewalks. Mr. Wenum stated that projects were being bid next week and information would be brought to Council the first meeting in April.

Moved by Council Member Baker, Seconded by Council Member Fischer, adopting a resolution declaring the cost of Project 24101. Carried 7-0

Moved by Council Member Baker, Seconded by Council Member Poshusta, adopting a resolution adopting the assessment roll of Project 24101. Carried 7-0

Assistant City Engineer Mitch Wenum spoke about the public hearing on street improvements on 4<sup>th</sup> Avenue NE (17th Street to 19th Street NE), Project 24102 & 1<sup>st</sup> Avenue NE (8th Street to 10th Street NE), Project 24103. The amount to be assessed is \$281,453.17 at 5.25% for 15 years. He stated that there have been no written objections to this project. There were no public comments.

Moved by Council Member Baker, Seconded by Council Member Fischer, adopting a resolution declaring the cost of Project 24102 & 24103. Carried 7-0

Moved by Council Member Fischer, Seconded by Council Member Poshusta, adopting a resolution adopting the assessment roll of Project 24102 & 24103. Carried 7-0

Assistant City Engineer Mitch Wenum spoke about the public hearing on street improvements on 2<sup>nd</sup> Avenue NW (14<sup>th</sup> Street to 19<sup>th</sup> Street NW) & 16<sup>th</sup> Street NW (Oakland Avenue West to 2<sup>nd</sup> Avenue NW) & 17<sup>th</sup> Street NW (Oakland Avenue West to 2<sup>nd</sup> Avenue NW), Project 24104. The

amount to be assessed is \$388,033.25 at 5.25% for 15 years. Phase one and two have been swapped on this project. He stated that there have been no written objections to this project.

Howard Oldenkamp, 1800 2<sup>nd</sup> Ave NW, asked about the churches on this project and what the solution to the green space was going to be. He also wanted to know about parking as the road only allows for parking on one side at this time. Mr. Wenum stated that they will cover the no parking signs and allow parking on both sides. Mr. Wenum stated that east side of 16<sup>th</sup> street will be turned into a green space. Mr. Oldenkamp wanted to know if that changed the price. Mr. Wenum stated that only the churches would be affected.

Moved by Council Member Baker, Seconded by Council Member Fischer, adopting a resolution declaring the cost of Project 24104. Carried 7-0

Moved by Council Member Baker, Seconded by Council Member Postma, adopting a resolution adopting the assessment roll of Project 24104. Carried 7-0

#### AWARDING BIDS

Director of Public Works Steven Lang stated that part of the summer maintenance program is purchasing oil, combining it with chips and adding that to the surface of the asphalt streets, to restore the durability of the surface and the texture. The bid received on this project was very competitive with the bid received last year from HG Meigs in the amount of \$54,900 (Actual amount of bid was \$53,550. Resolution changed to reflect this.) He would recommend awarding that bid and remainder of the budget for this will be used to purchase those chips and other materials that are needed in this process.

Moved by Council Member Baker, Seconded by Council Member Poshusta, adopting a resolution awarding the bid for Asphalt Emulsion Oil to HG Meigs. Carried 7-0

#### PETITIONS AND REQUESTS

Director of Public Works Steven Lang discussed the Waste Water Treatment Plant Change Order number 3. He stated a variety of work change directives had been consolidated over the last three months for work and improvements as part of the waste water treatment plant expansion project. He has consolidated those into one change order in the amount of \$864,810 that splits the between the domestic fund and the industrial fund for the project and he would recommend awarding change order number three to the project.

Moved by Council Member Baker, Seconded by Council Member Fischer, adopting a resolution approving change order number 3 for the waste water treatment plant. Carried 7-0

City Administrator Craig Clark spoke about the Grow Austin Fund Standout Initiative. He said this is a tweak that the Development Corporation of Austin requested the City of Austin take a look at. Essentially the adjustments for the City include moving the \$3000 incentive from 180% of poverty to 220% of poverty and eliminating the counting of benefits towards overall wage levels. Mr. Clark requests that council approve the changes.

Moved by Council Member Fischer, Seconded by Council Member Postma, adopting a resolution approving the changes to the structure of the Grow Austin Fund Standout Incentive Program. Carried 7-0

Director of Public Works Steven Lang stated that the City of Austin is currently in a three-year agreement with Austin Tank Wash; they have changed ownership, and the business has improved recently, so the increased business requires some slight modifications to some of its flow parameters. A revised agreement will stay with the original three-year term, but Mr. Lang is updating the flow from 2500 gallons per day to 3000 gallons per day, and updating the CBOD from 18 pounds per day to 20 pounds per day. Mr. Lang would recommend approving these revisions to the Austin Tank Wash ICM agreement.

Moved by Council Member Baker, Seconded by Council Member Baskin, adopting a resolution approving an ICM agreement with Austin Tank Wash, LLC. Carried 7-0

Director of Public Works Steven Lang stated that for the past 15 years, the City has owned a storage building on the south end of the Austin Municipal Airport. For the previous three years, we had a lease agreement with Lanny Bastianson for his use of that facility, and we recommend another three-year agreement with Mr. Bastianson for the next three years. The proposed amount has increased by \$25 per month or \$300 per year for a new three-year total revenue for the City of \$8100. Mr. Lang requests council approval for a three-year agreement.

Council Member Baskin asked Mr. Lang what do we do with this facility. He asked if we were to open it up to renters would we get a different outcome.

Mr. Lang stated we have stored our own equipment out there, but that didn't serve us very well due to logistics and where it's located. Mr. Lang stated it really serves someone that's in that neighborhood, so there's a small group of people essentially that we believe would be interested in something like this. The agreement has been successful with Mr. Bastianson. Mr. Bastianson has kept the property very nicely mowed, kept things trimmed, he makes it look well occupied and hasn't been vandalized so the previous agreement has worked out very well which is why we would recommend continuing this agreement with Mr. Bastianson.

Moved by Council Member Baskin, Seconded by Council Member Fischer, adopting a resolution approving a lease agreement for the Anderson Building with Orlando Bastianson. Carried 7-0

Director of Public Works Steven Lang stated this is the City of Austin's second entitlement transfer. This is in collaboration with the City of Albert Lea. They would transfer to the City of Austin \$150,000 for our proposed T-Hanger project with expected repayment back to the city of Albert Lea in 2025. Mr. Lang recommends approval of this entitlement transfer.

Moved by Council Member Fischer, Seconded by Council Member Baker, adopting a resolution approving an Airport T-Hanger, Entitlement Transfer (Albert Lea). Carried 7-0

Planning and Zoning Administrator Holly Wallace reviewed a variance request from Nick and Megan Crouch, 807 38th Ave NE. Ms. Wallace stated in September of 2023, they were granted a variance from our 1800 ft.<sup>2</sup> maximum footage for detached structures for residential properties exceeding an acre. The petitioners have re-petitioned to amend that variance to request to add 8

feet onto the building and add a 60 x 68' overhang for cold storage to add an additional 1000 ft.<sup>2</sup> The property is approximately 3 acres, and with this proposed addition, total lot coverage structures with the approximately 8% of 40% coverage is allowed. Ms. Wallace stated that after review the Planning Commission recommended approving the variance unanimously with five votes.

Moved by Council Member Fischer, seconded by Council Member Poshusta, approving a variance request from Nick and Megan Crouch. Carried.

Planning and Zoning Administrator Holly Wallace reviewed a variance request from Kristina Hastings, 509 21st Ave NW. Ms. Wallace stated the petitioner is appealing the 25 ft. yard setback. Ms. Wallace stated the total coverage structures would be approximately 22% of 40% coverage allowed. Ms. Wallace stated that after review the Planning Commission recommended approving the variance unanimously with five votes.

Moved by Council Member Baker, seconded by Council Member Baskin, approving a variance request from Kristina Hastings. Carried.

Planning and Zoning Administrator Holly Wallace reviewed a variance request from Jeff and Mary McNiff, 924 4th Ave NE. The petitioners wish to add a 24 x 24 detached garage. There is enough space to add this garage without requiring any setback. The total lot coverage with structures is approximately 24% of 40% coverage allowed. Ms. Wallace stated that after review the Planning Commission recommended approving the variance unanimously with five votes.

Moved by Council Member Baker, seconded by Council Member Baskin, approving a variance request from Jeff and Mary McNiff. 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 1010 11<sup>th</sup> Ave SW, Johnson 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 503 8<sup>th</sup> Ave SE, Wakefield Property. Carried.

Moved by Council Member-at-Large Austin, 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 1106 2<sup>nd</sup> Ave NW, Oasis Rentals, LLC Property. Carried.

## REPORTS AND RECOMMENDATIONS

City Administrator Craig Clark will be attending the CGMC Legislative Action Day on March 20<sup>th</sup>, with Mayor King and Council Member Helle.

Parks, Recreation, and Forestry Director Jason Sehon announced that the Spring/Summer activities catalog for the Park and Recreation department had been released to the public. Mr. Sehon thanked all his staff for their work on putting this together. Mr. Sehon has placed these all-around town. Mr. Sehon stated they will release another activity catalog in the fall.

Director of Administrative Services Tom Dankert relayed a message from the City Clerk Brianne Wolf who was not in attendance, to thank all of the election judges who worked during the presidential primary, also thanks to the street department and the school janitors for their assistance. Mayor King thanked Wanda Hatfield and Brianne Wolf for their work on their first election.

Council Member Laura Helle spoke about the emerald ash borer. She stated that the fantastic forestry team put together a very nice brochure. She stated that now is the time to have your ash trees assessed, that the window for treating them is closing rapidly, and that by this fall, trees that could be treated now may be infested. They estimate there are at least 3000 trees on private property in the City of Austin, and that's a drive-by assessment, which means we weren't looking in the backyards. If you do have one, they may be able to be treated. If the tree is already infested, they will need to come down, and you do not want to wait for a storm to take it out for you because they tend to explode in ways that other trees don't, and the damage is extensive. She stated there is a plan in place for the publicly owned ash trees in our parks and the Nature Center.

Also, the Park and Recreations board approved a new policy and procedure around memorial gifts to the parks. For years there was no structure to it and we now have a procedure. We have a catalog put together that says the memorial items we use in our parks and the costs associated with them.

Council Member Jason Baskin thanked Parks, Recreation, and Forestry Director Jason Sehon for his work on the catalog and stated that the catalog was well received with his family. Council Member Baskin stated that from the Port Authority standpoint, the Hormel Institute continues to do much work around the Minnesota bioimaging center. He stated that Gail and her team have been doing a lot of work with the state legislature on funding. They have a media event at 12:30 p.m. on April 2nd at the state capital, where they'll speak in front of a statewide audience about some of the benefits. This is an incredible project and a great potential project for Austin.

Mayor thanked Ailani Thiravong again for joining him throughout the day as Mayor for the Day.

Moved by Council Member Fischer, seconded by Council Member Baker, adjourning the meeting to April 1, 2024. Carried.

Adjourned: 6:04 p.m.

Approved: April 1, 2024

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

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