

MINUTES
CITY COUNCIL CHARTER MEETING
April 4, 2005
5:30 P.M.
Council Chambers

MEMBERS PRESENT: Mayor Rietz. Council Members McAlister, Jorgenson, Dick Pacholl, At-Large Christopherson, Nordin, Scott Pacholl, and Hecimovich.

MEMBERS ABSENT: None.

OTHERS PRESENT: Post Bulletin and Austin Daily Herald. Kimberly Saenz. Sunny Mao. Scott Monson. Nancy Clark. Trish Wiechmann. Shannon Hart. Kim Nelson.

Item #2, Approval of the minutes of the March 21 council meeting was removed from the agenda. Item #21 was added: Resolution in the matter of hazardous building located at 1207 8th Avenue NW, Austin, Minnesota, owned by Trevor Hanson.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, approving the agenda as amended. Carried.

Scott Monson, Co-chairman of the Human Rights Commission announced the Human Rights Commission Essay Contest winners. Winners are: third place, Sunny Mau; second place, Kimberly Saenz; and first place, Irma Flores. The question for the essay contest was, 'Have I been discriminated against?'

Council Member Jorgenson requested copies of the essays.

Shannon Hart, Coordinator for the Early Childhood Initiative, gave a report of the Early Childhood Initiative to Council. They are working on a visioning and planning process.

Moved by Council Member Jorgenson, seconded by Council Member Nordin, approving the consent agenda as follows:

Licenses

Cab Driver: Byron Buxton, 707 3rd Street NW, Austin

Master Plumber: Lone Star Plumbing, Box 100, Adams, MN

Food: Wendy's, 1401 18th Avenue NW, Austin

Temporary Liquor: Riverland Community College, 1900 8th Avenue NW, April 23

Food: The Boom Boom Room, 603 10th Street SE, Austin

Novelty Machine, 603 10th Street SE, Austin

Food: Austin Club League Baseball, 209 N. Main Street

Claims:

- a. Pre-list of bills.
- b. Darcy Walker, 1609 6th Avenue NW. This claim has been referred to the city attorney to protect the city's interest.
- c. Anna Dalager. This claim has been referred to the city attorney to protect the city's interest.
- d. Leland Engen, PO Box 284, Austin. This claim has been referred to the city attorney to protect the city's interest.
- e. Ray Gillson, 603 17th Street SW. This claim has been referred to the city attorney to protect the city's interest.

Carried.

The bid results for biosolid removal were received. Bids were taken on March 23. Work is scheduled for spring and fall of 2005. The bids are as follows:

| | |
|-------------------------|---------------|
| DRT Biosolids | \$ 178,750.00 |
| Fergus Power Pump, Inc. | \$ 209,700.00 |
| Matt Wangen | \$ 216,700.00 |

Moved by Council Member Hecimovich, seconded by Council Member Jorgenson, adopting a resolution awarding the bid. 7-0. Carried.

Bid results for asbestos abatement, City Project 6-C-03, Phase IV were received. This is for the acquisition of eight residential parcels from the 2000 flood.

Bids are as follows:

| | |
|------------------|-----------|
| Vruno-Williams | \$ 22,247 |
| Mavo Systems | \$ 25,720 |
| Safe Air Systems | \$ 30,240 |
| Asbestrol | \$ 37,120 |

Moved by Council Member Hecimovich, seconded by Council Member Nordin, adopting a resolution awarding the bid. 7-0. Carried.

Council reviewed and read over the Council Vision Statement, Organizational Values, Goals, and Commitments.

Council Member Jorgenson requested that #13 of the Council Commitments be removed and discussed at a work session.

Moved by Council Member Jorgenson, seconded by Council Member Nordin, to remove Item No. 13 from Council Commitments and review at a future work session. Carried.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, approving the Council Vision Statement, Organizational Values, Goals, and Commitments No. 1-12 and 14-15. Carried.

The City has received a request from the Tri-Parish Council to close 3rd Avenue NW between 4th Street and 5th Street with the following conditions: 1) The closing of 3rd Avenue would be between 7:30 am and 3:30 pm, 2) Closing would only occur on school days, 3) Barricade costs would be the responsibility of the Tri-Parish, 4) Daily placement of barricades would be the responsibility of the Tri-Parish, and 5) Approval is subject to review.

City Engineer Jon Erichson requested another condition be added which is to place directional signage for Grinders Deli. Mr. Erichson will speak to the owners of Grinders on the location of a sign.

Moved by Council Member Jorgenson, seconded by Council Member Hecimovich, approving the street closing. Carried.

Hormel Foods Corporation has planned a celebration for June 18 and requests street barricades for that day and for June 17 for the set-up of vendors, etc.

Council Member Dick Pacholl questioned where the barricades would be. City Engineer Jon Erichson said 8th Avenue to 11th Avenue NW would be barricaded.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, approving the street closing. Carried.

The Oakland Avenue underpass reconstruction and removal of bridges is scheduled for 2006 at an estimated cost of \$2.2M. A federal grant will provide \$1,680,000 towards this project, but there are a number of reviews in accordance with the grant. The National Historic Preservation Act provides a study to identify possible alternative and concerns. A public meeting must also be held along with the preservation act. Also, Minnesota Historical Property Documentation must be completed. The cost of this report is \$65,227.48, with the City responsible for 20% or \$13,045.50.

Council Member Jorgenson asked at what stage the public meeting would be held. Mr. Erichson said the public meeting would be held at about 75% completion when enough information is available.

Moved by Council Member Jorgenson, seconded by Council Member Nordin, adopting a resolution approving the grant agreement. 6-1. Carried. Council Member Dick Pacholl voted nay.

Council Member Dick Pacholl said he is against the removal of these bridges. He said he has lived here all his life, and the bridges are a part of Austin's history. He said he is always sorry when a historical landmark is removed.

Fire Chief Dan Wilson has requested permission to sell the 1985 mini-pumper to the Rose Creek Fire Department. This item was discussed and approved at a previous work session. Chief Wilson reminded Council that this truck would still be available under the Mutual Aid Agreement with Rose Creek.

Moved by Council Member Hecimovich, seconded by Council Member Jorgenson, approving the sale of the fire truck. Carried.

Jesus Estada dba The Boom Boom Room has applied for a 3.2 beer on and off-sale license. The applicant has been investigated and approved by the Police Department, and all their papers are in order.

Council Member Nordin noted that the address on the license and resolution should be 10th Drive SE rather than 10th Street SE.

Moved by Council Member Nordin, seconded by Council Member Jorgenson, adopting a resolution approving the 3.2 beer license. 7-0. Carried.

A resident of the Third Ward, Tom Purcell, has agreed to serve on the Board of Review in place of Betty LaClair who no longer resides in the Third Ward. The following people served last year and d are willing to serve again this year: Jerry Wolesky (At-Large); Mike Steichen (First Ward); and Kim Jacobson (Second Ward).

Moved by Council Member Nordin, seconded by Council Member Dick Pacholl, approving the appointments. Carried.

Moved by Council Member Christopherson, seconded by Council Member McAlister, adopting a resolution receiving report and calling a hearing for April 18, 2005 on improvement for 1st Avenue SW (Main Street o 12th Street), Project 8-A-05. 7-0. Carried.

Moved by Council Member Hecimovich, seconded by Council Member Jorgenson, adopting a resolution calling a hearing for May 2, 2005 to approve final assessment rolls for the following projects:

- | | |
|--|---------|
| a. 4 th Street NE (Oakland Avenue to 2 nd Avenue) | 11-A-05 |
| b. So. Main Street (Oakland Avenue to 1 st Avenue) | 14-A-05 |
| c. 1 st Street SW (Oakland Avenue to 1 st Avenue) | 13-A-05 |
| d. 4 th Avenue SW (4th Street to 8th Street) | 3-A-04 |
| e. 5 th Avenue SW (4th Street to 8th Street) | 10-A-05 |
| f. 5th Avenue NE (19 th Street to Hwy 218) | 2-A-96 |
| g. 8th Avenue SW (23 rd to 24 th Street) | 6-A-04 |
| h. 21 st Avenue NW (4 th Street to 5 th Street) | 6-A-05 |

7-0. Carried.

Finance Director Tom Dankert requested that Council amend the 2005 budget. Two items are carryovers, and there are two new items. One new item is the Shoreland Restoration Grant. The Grant Revenue line item should be increased by the \$9000 grant, \$1000 will be coming from Pheasants Forever. The Wastewater Treatment Plant would like to carryover \$4,400 of unused Lift Station Upgrades. Flower donation money needs to be carried over from 2004. Plus the Park and Rec Department would like to carryover \$23,321 of unused Murphy Creek Park funding. Mr. Dankert said these transactions are allowed if Council approves – funds may be reappropriated each year, which is different than capital projects.

Moved by Council Member Jorgenson, seconded by Council Member Hecimovich, adopting a resolution amending the 2005 operating budget. 7-0. Carried.

The City of Austin has received a petition from Austin Utilities to extend water main on the 15th Avenue SW from South Main Street. This will be the adjacent property owners' responsibility.

Moved by Council Member Nordin, seconded by Council Member Hecimovich, adopting a resolution approving the agreement. 7-0. Carried.

The City of Austin has received a proposal from Fox Engineering for an evaluation of treatment options for the Industrial Wastewater Treatment Plant. This is a continuation of the study from 2002 conducted by fox Engineering and Iowa State. The cost for this study will be paid for by Hormel Foods Corporation through the industrial waste charges.

Moved by Council Member Dick Pacholl, seconded by Council Member Hecimovich, adopting a resolution approving the agreement. 7-0. Carried.

Bids for the biosolid facility were received. City Engineer Jon Erichson recommended tabling this item as the land transfer with Hormel has not yet been completed.

Bids are as follows:

| | |
|------------------------------|--------------|
| The Joseph Company | \$ 7,310,000 |
| Madsen-Johnson Construction | \$ 7,446,600 |
| Gridor Construction | \$ 8,097,000 |
| Rice Lake Construction Group | \$ 8,279,300 |

Mr. Erichson said this is probably the 2nd largest bid awarded by the City. The Engineer's Estimate was within \$10,000 of the lowest bid. He added that the bid specs allow tabling of the bid award for 60 days.

Moved by Council Member Nordin, seconded by Council Member Dick Pacholl, tabling the bid award. Carried.

Mr. Erichson said the current upgrades have totaled roughly \$21M. Mayor Rietz questioned if a new facility was ever studied. Mr. Erichson said that in 1996 the Engineer Department looked at the cost of building a new facility. A new facility in 1996 was estimated at \$65M at that time. There were other issues involved also, including the purchasing of land.

Community Development Director Craig Hoium said the Zoning Department has received numerous complaints of a building, which he provided pictures of. He said the entire west foundation wall has caved in. No one lives in this building, which is located at 1207 8th Avenue NW. A temporary snow fence has been put in place and repaired numerous times. Mr. Hoium is requesting the authorization to repair the structure and have the costs paid by the property owner directly or through assessment.

Moved by Council Member Jorgenson, seconded by Council Member Hecimovich, adopting a resolution in the matter of a hazardous building.

REPORTS:

Council Member Jorgenson reported that the Port Authority has approved the purchase option of the Silver Bullet through June. The owners, Mark and Patty Stevens, are diligently marketing the property.

Council Member Nordin reported on a Mower County recycling meeting. They have 50-60% participation. A \$17 solid waste fee could be saved if there was more participation.

Council Member Christopherson reported on the Park and Rec Subcommittee. Discussion was on the skate park. It was suggested that basketball courts and horseshoe rings would be added to help with the safety factor. Park and Rec Director Denny Maschka will come up with a plan for this.

Mayor Rietz reminded everyone of the Volunteer Recognition event scheduled for Thursday, April 7.

The 11th day of each month at 11:00 am will be a time of remembrance and a moment of silence for the area troops and their families. The schools will participate by holding a moment of silence.

Take Part III is scheduled for Thursday, April 14. They will go over the ideas which have been gathered so far and discuss priorities.

The League of Cities meeting will be hosted by the City of Austin. It will be Thursday, April 21.

Moved by Council Member Nordin, seconded by Council Member Jorgenson, adjourning the meeting to April 18, 2005.

Adjourned: 6:35 p.m.

Approved: April 18, 2005

Mayor: _____

City Recorder: _____