

**MINUTES**  
**CITY COUNCIL MEETING**  
**May 2, 2011**  
**5:30 PM**  
**Council Chambers**

MEMBERS PRESENT: Mayor Stiehm. Council Members Jeff Austin, Brian McAlister, Steve King, Roger Boughton, Judy Enright and Marian Clennon. Council Member-at-Large Janet Anderson.

MEMBERS ABSENT: None

STAFF PRESENT: Jim Hurm, Tom Dankert, Jeanne Howatt, Craig Hoium, David Hoversten, Mickey Healey, Kim Underwood, Ann Hokanson, and Brian Krueger.

OTHERS PRESENT: Post Bulletin, Austin Daily Herald. Public.

The meeting was called to order at 5:30 pm.

Moved by Council Member Boughton, seconded by Council Member Austin, approving the agenda. Carried.

Moved by Council Member-at-Large Anderson, seconded by Council Member King, approving the minutes of April 18, 2011 and April 25, 2011. Carried.

Bob Rosel, letter carrier, spoke to Council to announce the upcoming food drive challenge between Austin and Albert Lea. The food drive is scheduled for Saturday, May 14. This food drive is entirely local. Mr. Rosel noted that food shelf usage has increased. Volunteers for the event include the National Honor Society, Gerard Academy, possibly the Radiology Department at Riverland, and the Jaycees. Mayor Stiehm read a proclamation for the event.

Mayor Stiehm also read a proclamation for Mental Health Awareness Month. A benefit walk will start in northwest Austin and end at The Bridge.

Kiersten Hall spoke to Council regarding a holiday light display drive-through benefit she and Shirley Blake are organizing. The drive-through display will be held at the Mower County Fairgrounds.

Moved by Council Member Austin, seconded by Council Member King, approving the consent agenda as follows:

Licenses:

Cigarette – Transfer from Beer Depot: Cheers Liquor, 502 12<sup>th</sup> Avenue NW

Exempt Gambling (raffle): United Catholic Schools Foundation @ St. Edward's, June 17

Food/Mobile: Tacos Sofy, Austin

Master Plumber: Todd Grundmeir dba T 'N G Plumbing, Dexter, MN  
 Mechanical Amusement: Vietnamese Top Noodle, 501 1<sup>st</sup> Street NW, Austin  
 Pool Table: Vietnamese Top Noodle, 501 1<sup>st</sup> Street NW, Austin  
 Sidewalk Café: 501 1<sup>st</sup> Street NW, Austin  
 Sign Installer: Fairway Outdoor Advertising, LLC dba Magic Media, Rochester, MN  
 Temporary Food: Kiwanis Early Risers @ St. Edward's Community Center, May 8

Claims:

- a. Pre-list of bills.
- b. Credit card report.
- c. City of Austin (vehicle hit utility pole). This claim was forwarded to the city attorney to protect the city's interest.

Carried.

Bids for the seasonal asphalt supply were received. A rate of 40¢ /ton per mile was included with the bid.

Bids are as follows:

Contractor	Base Bid	Mileage	Total
Ulland Bros. Inc.	\$275,000/5000 = \$55.00/ton	.40 x 19.7 = \$ 7.88	= \$62.88
Crane Creek (Faribault)	\$273,125/5000 = \$54.63/ton	.40 x 51.3 = \$20.52	= \$75.15

Moved by Council Member Boughton, seconded by Council Member Enright, adopting a resolution awarding the bid to Ulland Bros., Inc. at \$62.88/ton including mileage. 7-0. Carried.

The City received bids for the seasonal supply of asphalt emulsion. Bids are as follows:

Contractor	Bid
MEIGS	\$ 112,429.80
Flint Hill Resources	\$ 114,771.30

Moved by Council Member Austin, seconded by Council Member Boughton, awarding the bid to MEIGS in the amount of \$112,429.80. 7-0. Carried.

The City received bids for the North Main flood mitigation project, phases 2, 9, 10, and 12. Phase 2 is the area between the municipal pool and the library. Phase 9 is by Packer Arena and west to the Hormel plant. Phase 10 is along 3<sup>rd</sup> Street and 12<sup>th</sup> Avenue NW. And Phase 12 is by Kuehn Motors. Bids are as follows:

Contractor	Bid Amount
Reiner Contracting, Hutchinson, MN	\$2,830,308.90
Heselton Construction, Faribault, MN	\$3,001,528.74
Ulland Bros., Albert Lea, MN	\$3,047,788.15
Veit Co., Rogers, MN	\$3,214,902.00
Minger Construction, Chanhassen, MN	\$3,592,392.59

The bids were considerably lower than the \$3.75 million estimate. Start date is scheduled for June 10 for the swimming pool/library area. The project is being funded 50% by a DNR grant and 50% from the Local Option Sales Tax.

Council Member Clennon questioned whether the City has received the information from the Watershed District on the engineer's study. Mr. Erichson said we have not received it. He noted that the City provided engineering modeling, and Barr Engineering provided comments on that modeling. A meeting of both engineering firms took place on April 6. Mr. Erichson said the City's modeling from SEH was based on four different flooding events. The Barr Engineering modeling was a general overview. At this time there is no permitting required; the City is proceeding without any permits. The project is expected to be completed in 2011 with some final landscaping work in 2012.

Moved by Council Member Boughton, seconded by Council Member Austin, adopting a resolution awarding the bid to Reiner Contracting in the amount of \$2,830,308.90. 7-0. Carried.

The HRA is proposing to issue up to \$14.5 million conduit housing and healthcare facilities revenue bonds in connection with the proposed St. Mark's Lutheran Home expansion. On April 20, the HRA held a required public hearing for this. The city council is requested to approve the issuance as the "applicable elected representatives." This does not obligate the City or the HRA.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adopting a resolution approving issuance of bonds relating to the expansion of St. Mark's Lutheran Home. 7-0. Carried.

Moved by Council Member King, seconded by Council Member Boughton, adopting a resolution accepting gifts to the Austin Public Library. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member McAlister, resolving the City Council into the Sign Board of Appeals. Carried.

Fairway Outdoor Advertising has provided a letter requesting that the sign appeal be continued to June 6. They would like to have a representative give a more detailed presentation of digital signs as well as provide documentation of other signage located near busy road intersections. Mr. Hoium advised Council to take this issue back to the Planning Commission, and council members would be welcome to attend.

Moved by Council Member Austin, seconded by Council Member Boughton, referring the matter back to the Austin Planning Commission. Carried.

Moved by Council Member Austin, seconded by Council Member McAlister, adjourning the Sign Board of Appeals and resolving back into the City Council. Carried.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution accepting the donation of property located at 412 N. Main Street from Sam Nguyen. 7-0. Carried.

Council is requested to authorize the use of PEG fees for audio-visual upgrades. Council Member Clennon questioned the need for upgrading the speakers. Mr. Dankert said the state contractor is recommending this upgrade to our speaker system; this is why we're getting some crackling with the microphones. Additionally, an upgraded sound system will (hopefully)

remove the need for some council members' use of headsets because the sound system would automatically adjust sound levels, eliminating manual sound adjusting in the video room.

Council Member Clennon also questioned the need for a new document camera as we are not having any issues with the current one. Mr. Dankert noted the upgrade would provide more clarity as some documents are not large and clear and may not be compatible with the new system.

Mr. Dankert further explained that the City receives 5% of Charter Communications' gross revenues (for the City of Austin), plus we receive the "PEG" fee. That fee is 25¢ per customer per month for the first five years of the franchise agreement and 30¢ thereafter. That amount is set when the franchise agreement is approved. The current agreement was signed in 2006 and expires in May 2014. By the end of this year total funds received will be approximately \$86,000. The upgrading, without the TVs as originally proposed, would cost \$105,000. The School District has offered \$2500 towards the new upgrade leaving about \$16,500 to come from Contingency.

Council Member-at-Large Anderson confirmed with Mr. Dankert that the system upgrades would provide for video streaming online. The Council Chambers production equipment would be totally upgraded; the current system is not compatible for video streaming. Additionally, the current cameras are actually security cameras. Those would be upgraded to three HD cameras, allowing for the capability to have HD programming in the future. Several meetings could be stored online for citizens – perhaps six months' to one year's worth.

Moved by Council Member King, seconded by Council Member-at-Large Anderson, adopting a resolution authorizing the use of PEG fees for audio-visual upgrades. 6-1. Carried. Council Member Clennon voted nay because the balance would be "coming out of our funds when we don't know what is happening with the State yet."

Fire Chief Healey requested permission to put up for auction a 1997 Suburban which has been in storage.

Moved by Council Member Austin, seconded by Council Member King, authorizing the sale of the Fire Department vehicle. Carried.

Moved by Council Member King, seconded by Council Member Austin, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1006 5<sup>th</sup> Avenue NE, Kahnke property. Carried.

Moved by Council Member Austin, seconded by Council Member King, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1601 6<sup>th</sup> Avenue NW, Waldo property. Carried.

Moved by Council Member King, seconded by Council Member Austin, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1307 10<sup>th</sup> Avenue NW, JS2 property. Carried.

Moved by Council Member King, seconded by Council Member Austin, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at

1309 30<sup>th</sup> Avenue NE, Wells Fargo property. Carried.

Moved by Council Member Austin, seconded by Council Member King, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 807 3<sup>rd</sup> Avenue NE, Ernst property. Carried.

Moved by Council Member King, seconded by Council Member Austin, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1418 7<sup>th</sup> Avenue SW, Sorgine rental property. Carried.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution approving transfer of Off-Sale Liquor License from The Beer Depot, Inc., dba Beer Depot to CAS Enterprise – Centure VIII, LLC dba Cheers Liquor. 7-0. Carried.

## REPORTS

Council Member Clennon attended the recent Mower County League of Cities meeting. Marlys Sorlie gave a history of the joint dispatch. Tom Thielen from the League of Minnesota Cities talked about the LMC Annual Conference in June and the loss control seminar. He also urged people to contact their representatives to oppose a bill requiring reflective signs. The League opposes this as it would be an unnecessary cost to cities and bring potential lawsuits.

Council Member Clennon said she participated in a communication audit with Gill Research. They asked how the League is communicating with cities, and if they are treating them fairly.

Council Member Clennon attended the recent welcoming home of the Honor Flight and encouraged everyone to attend one of the two more planned Honor Flights at the Rochester Airport.

Council Member Boughton attended the recent HRA meeting in which the expansion of St. Mark's and request for \$14 million bonds was discussed. Also, HRA Board approved a purchase of property at 1101 SW 10<sup>th</sup> Avenue. John Garry from the DCA gave a presentation of the changing picture of Austin based on the recent census numbers. He noted that 73% of Austin is white, and 27% is non-white.

Council Member-at-Large Anderson attended the recent Blazing Star Joint Powers Board. Craig Hoium was also in attendance. The joint power board has acquired additional land and has had topographical studies done. Also, they will be surveying the route, designing the bridge, and finalizing two land donations. Bidding for the trail is planned for this fall or 2012. They are looking to the next bonding bill to finish the trail.

Council Member King attended the 5<sup>th</sup> Annual Austin Cleanup Day. Approximately 200 volunteers helped, including church groups and a Hispanic group called "Role Models". He thanked the citizens who helped.

City Engineer Jon Erichson said Oakland & Main Street is closed today for approximately one month for reconstruction.

Mayor Stiehm attended the Mayors Association Meeting in Owatonna. Discussion included how governments need to cooperate, and they used the example of the City of Austin and Mower County as governments cooperating and saving money.

A Yellow Ribbon meeting is scheduled for tomorrow at 6:00 pm.

Moved by Council Member King, seconded by Council Member Austin, adjourning the meeting to May 16, 2011.

Adjourned: 6:15 pm

Approved: May 16, 2011

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

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