

M I N U T E S
CITY COUNCIL MEETING
January 17, 2012
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: Tom Dankert, Jeanne Howatt, Craig Hoium, Jon Erichson, Steven Lang, David Hoversten, Mickey Healey, Kim Underwood, and Brian Krueger.

OTHERS PRESENT: Post Bulletin, Austin Daily Herald. Austin Utilities General Manager Mark Nibaur.

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

Moved by Council Member King, seconded by Council Member-at-Large Anderson, approving the agenda. Carried.

Moved by Council Member Boughton, seconded by Council Member Enright, adopting the minutes of January 3, 2012. Carried.

Jeff Weaver from Mower County presented the Council with the traveling plaque for the annual food drive. The City donated 876 pounds – 5.9 pounds per employee. This is the 19th year for this friendly competition. In total, 36, 460 pounds of food has been donated over the years to the Salvation Army food shelf.

Fire Chief Mickey Healey announced the new ISO public protection classification has been upgraded from a category 4 to a category 3. This could potentially cause citizens' insurance rates to decrease. Chief Healey said Austin is in the top 3% with this rating as far as fire protection. This also shows we are improving, he said

Police Chief Brian Krueger, Captain Dave McKichan, along with Kirsten Lindboom and County Attorney Kris Nelson have received the Human Rights Award. The awards were presented at the Human Rights event on Martin Luther King Jr. Day. The four worked as a team with victims of violent crime to not be afraid to come forward with the fear of being deported.

Moved by Council Member Boughton, seconded by Council Member Enright approving the consent agenda as follows:

Consent Agenda.

Licenses:

Commercial Hauler: Best Disposal: Blooming Prairie, MN
Commercial Hauler: Waste Management of S. MN, Clarks Grove, MN
Concrete: Gary Groh Construction, LLC, 911 5th Avenue NE, Austin
Concrete: Roger & Sons, 3701 4th Street NW, Austin
Excavation: Roger & Sons, 3701 4th Street NW, Austin
Exempt Gambling (raffle): Chamber of Commerce @ Bandshell, July 4
Exempt Gambling (raffle): Chamber of Commerce @ Eagles, March 2
Food Sidewalk: Vietnamese Top Noodle, 501 1st Street NW, Austin
Food: Ole Barn BBQ, 1301 18th Avenue NW, Austin
Food: Super Fresh Produce, 2101 4th Street NW, Austin
Food: The Brickhouse, 412 3rd Avenue NE, Austin
Food: The Morning Grind, 301 1st Avenue SW, Austin
Food: Vietnamese Top Noodle, 501 1st Street NW, Austin
Food: Target Store, 1701 18th Avenue NW, Austin
Garbage Hauler: Best Disposal, Blooming Prairie, MN
Garbage Hauler: Waste Management of S. MN, Clarks Grove, MN
Massage Therapist: Christina Tracy, Rose Creek, MN
Master Plumber: Embrickson Plumbing & Heating, 502 4th Street NW, Austin
Premise Amusement Device: Ole Barn Foods LLC, 1301 18th Avenue NW,

Austin

Tree Removal: Carr Tree Service, Ottertail, MN

Claims:

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

Carried.

Fire Chief Mickey Healey said bids were received for a new fire truck, but he said they were “extremely high.” He recommended rejecting both bids and the department will review the specs to come within budget.

Moved by Council Member Boughton, seconded by Council Member-at-Large Anderson, rejecting the fire truck bids. Carried.

Assistant City Engineer Steven Lang briefly discussed the 2012 street projects. Project 3-A-11 on 9th Street NW (1st Avenue to 8th Avenue) will involve mill & overlay and lining the clay storm sewer laterals. Austin Utilities will construct a new water main truck. The project, at an estimated cost of \$775,000, will be paid via assessments, WWTP Fund 61, and the Storm Water Utility Fund 67.

Council Member McAlister questioned the length of the projects – some are torn up in May but the work is not performed until July. Mr. Lang replied that the street projects usually take three months. The department must coordinate with 6-7 subcontracts plus Austin Utilities. Delays can happen due to rain or contractors’ schedules.

Moved by Council Member Austin, seconded by Council Member McAlister, adopting a resolution to receive the feasibility report for Project 3-A-11 and calling a hearing for February

21, 2012. 7-0. Carried.

Project 10-A-11, 14th Street NW (Oakland Avenue to 8th Avenue) was constructed in its current layout in the late '80s. Mill & overlay is planned, along with upgrading the lighting. A center turn lane will be created from 4th Avenue to 8th Avenue. The project, at an estimated cost of \$760,000, will be paid via a Federal Highway Grant, Municipal State Aid, and WWTP Fund 61.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution to receive the feasibility report for Project 10-A-11 and calling a hearing for February 21, 2012. 7-0. Carried.

Project 1-A-12, 2nd Avenue SW (14th Street to 15th Street), 3rd Avenue (15th Street to 17th Street), 15th Street SW (Oakland Avenue to 3rd Avenue) and 17th Street SW (Oakland Avenue to 3rd Avenue) was constructed in the '60s. The majority of the curb & gutter will stay. Sanitary sewer in this area is located within the backyard easements and will not be part of this project. The storm sewer will be replaced, and Austin Utilities will replace the water main. The project, at an estimated cost of \$525,000, will be paid via assessment bonds and Storm Water Utility Fund 67.

Moved by Council Member King, seconded by Council Member Boughton, adopting a resolution to receive the feasibility report and calling a hearing for February 21, 2012 on Project 1-A-12. 7-0. Carried.

Project 2-A-12, 10th Drive NE (14th Street to 17th Street) was constructed in early '70s. The project will be a mill & overlay. The project, estimated at a cost of \$150,000, will be paid via Municipal State Aid.

Moved by Council Member McAlister, seconded by Council Member King, adopting a resolution to receive the feasibility report for Project 2-A-12 and setting a hearing for February 21, 2012. 7-0. Carried.

Project 3-A-12, 16th Street SE (Oakland Avenue to 4th Avenue) was constructed in 2001. This road carries approximately 1240 vehicles per day and requires an overlay to smooth it out. This is a maintenance-only project. The project, at an estimated cost of \$100,000, will be paid via Municipal State Aid.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution to accept the feasibility report for Project 3-A-12 and setting a hearing for February 21, 2012. 7-0. Carried.

Project 4-A-12, 4th Street NW (3rd Avenue to 10th Avenue) was constructed in 1983. This section carries approximately 10,800 vehicles per day. This is a maintenance project for concrete rehabilitation involving partial depth repairs and full depth repairs. Assistant City Engineer Steven Lang said this should be a quick-flowing project. The project, estimated at a cost of \$150,000, will be paid via Municipal State Aid; however, sidewalk will be assessed.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adopting a resolution to receive the feasibility report for Project 4-A-12 and calling a hearing for February 21, 2012. 7-0. Carried.

Project 5-A-12, 22nd Avenue SW (12th Street to 16th Street), was constructed in the early '70s. The majority of the curb & gutter will stay in place. Storm sewer main will be extended from 12th Street to improve the intersection drainage. The sanitation sewer will be lined from 12th Street to 14th Street to address inflow/infiltration and root issues. The sidewalk along 22nd Avenue will be completed at no cost to the adjacent property owners. Austin Utilities will replace the water main the entire length. The project, at an estimated cost of \$425,000, will be paid via assessment bonds, WWTP Fund 61, and Storm Water Utility Fund 67.

Moved by Council Member Boughton, seconded by Council Member King, adopting a resolution to accept the feasibility report for Project 5-A-12 and calling a hearing for February 21, 2012. 7-0. Carried.

Project 6-A-12 is in the East Side Lake Dam area: 13th Street NE (Oakland Avenue to 4th Avenue), Oakland Avenue East (12th Street to 13th Street), 1st Avenue NE (11th Street to 12th Street), and 3rd Avenue NE (11th Street to 13th Street). Pavement was constructed in the late '60s. New pavement will be placed, along with new curb & gutter. Austin Utilities will replace the water main. The sanitary sewer is in good condition. The project, at an estimated cost of \$525,000 will be paid via assessment bonds, WWTP Fund 61 and Storm Water Utility Fund 67.

Moved by Council Member Austin, seconded by Council Member McAlister, adopting a resolution receiving the feasibility report for Project 6-A-12 and calling a hearing for February 21, 2012. 7-0. Carried.

Project 7-A-12, 19th Street SE (Oakland Avenue to 4th Avenue) was constructed in 1971. The pavement will be replaced with new, along with upgrades to the sanitary sewer system. The area will be provided with handicap accessible intersections. The project, at an estimated cost of \$475,000, will be paid via Municipal State Aid and WWTP Fund 61.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution to accept the feasibility project for 7-A-12 and calling a public hearing for February 21, 2012. 7-0. Carried.

The Committee-of-the-Whole has reviewed the recommended assessment rate increases for 2012. The City captured only 38-39% of the street project costs in 2011, though the goal is 50%. Recommended assessments rates are as follows:

Residential:

	<u>2012 Rate</u>
Sidewalk (4" thick)	\$ 3.60/ Sq. Ft.
Sidewalk (6" thick)	\$ 4.60/ Sq. Ft.
Concrete Curb	\$ 10.50/ Lin. Ft.
Urban Street Reconstruction	\$ 38.25/ Lin. Ft.
Rural Street Reconstruction	\$ 28.00/ Lin. Ft.
Mill & Overlay	\$12.00/Lin. Ft.

Commercial:

	<u>2012Rate</u>
Sidewalk (4" thick)	\$ 3.60/ Sq. Ft.
Sidewalk (6" thick)	\$ 4.60/ Sq. Ft.
Concrete Curb	\$ 10.50/ Lin. Ft.
Urban Street Reconstruction	\$ 54.75/ Lin. Ft.
Rural Street Reconstruction	\$ 42.00/ Lin. Ft.
Mill & Overlay	\$20.00/Lin. Ft.

Industrial:

	<u>2011 Rate</u>
Sidewalk (4" thick)	\$ 3.60/ Sq. Ft.
Sidewalk (6" thick)	\$ 4.60/ Sq. Ft.
Concrete Curb	\$ 10.50/ Lin. Ft.
Urban Street Reconstruction	\$ 54.75/ Lin. Ft.
Rural Street Reconstruction	\$ 42.00/ Lin. Ft.
Mill & Overlay	\$20.00/Lin. Ft.

Moved by Council Member King, seconded by Council Member Enright, adopting a resolution approving the recommended assessment rate costs for 2012. 6-1. Carried. Council Member Clennon voted nay.

Moved by Council Member Austin, seconded by Council Member Enright, to prepare an ordinance amending Austin City Code Section 10.18 to allow pet animals on all public trails and park roadways with the exception of Todd Park North, Todd Park South and Riverland Ball Field. Carried.

Moved by Council Member Austin, seconded by Council Member Enright, for adoption and publication of the ordinance. 7-0. Carried.

Moved by Council Member Boughton, seconded by Council Member-at-Large Anderson, adopting a resolution approving an agreement with Mower County to provide assistance with a County 5-Year Capital Improvement Plan. 7-0. Carried.

Council is requested to approve the replacement of Parks Supervisor Tom Graff upon his retirement.

Moved by Council Member Boughton, seconded by Council Member Austin, authorizing the replacement of the parks supervisor position and approving initiation of the hiring process. Carried.

The Park & Rec Board is recommending to the City Council to apply for a DNR Community Forest Bond Grant. The grant will be used to provide funding for planting projects, especially in light of the Emerald Ash Borer invasion.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, approving an application to the Minnesota DNR for a Community Forest Bonding Grant. Carried.

Moved by Council Member Austin, seconded by Council Member Enright, naming Steve King as vice chair on the AMCAT Board. 6-0. Council Member Clennon abstained. This appointment is per the AMCAT Joint Powers agreement which provides that the City appoint one of the two council members as vice chair in the even years.

City Engineer Jon Erichson requested Council approve two transportation grant submissions. The first is for Local Road Improvement Program State Transportation bond funds which would be submitted for 27th Avenue NW. This grant is part of \$10 million of State Transportation bond funds appropriated in the 2011 Bonding Bill. Projects must be approved for construction by June 2013, not exceed \$500,000, and must qualify as regionally significant. All utilities are in at this location. The proposed total funding for this project would be via the grant at \$500,000, the City of Austin gas tax at \$250,000, and the Building CIP Fund at \$125,000. The second project would involve 4th Drive SW from the Turtle Creek Bridge going south and would be funded through a Federal Transportation Project Grant through the Minnesota Area Transportation Partnership for District 6 for the year 2016. This rural road would be made urban. Sixty percent of this road is in the County. The grant would cover 80% of the project; the County has agreed to pay the remaining 20%. The sanitary sewer extensions would be the responsibility of the City. If this project would be assessed, it would be the responsibility of the City to assess. Mower County would be responsible for any required right-of-way.

Moved by Council Member Austin, seconded by Council Member Boughton, adopting a resolution approving a Local Road Improvement Program grant submission for 27th Avenue NW (Cook Farm Industrial Park). 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution approving a Minnesota Area Transportation Partnership District 6 grant submission for 4th Drive SW/CSAH 23. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member Enright, granting Austin Utilities a waiver from the noise ordinance for the purpose of well drilling, pursuant to Austin City Code §10.31 Subd. 6. Carried.

Moved by Council Member King, seconded by Council Member Enright, adopting a resolution approving Wine On-Sale, Strong Beer On-Sale, and Sunday Wine On-sale Licenses for Ole Barn Foods, LLC. 7-0. Carried.

The City has acquired Budget Oil at the intersection of Oakland/4th Street NE and along with it, acquired ownership of the billboard on the property. The company leasing the billboard from Budget Oil has asked the City for a new, 5-year lease. The lease could be extended if both parties agree. The lease rate would be \$1900 per year. And the lease would commence February 1, 2012.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution approving the billboard lease. 7-0. Carried.

Park & Rec Director Kim Underwood asked Council to approve a 3-year lease with Craig Patrick/Austin Bruins for the rental of Riverside Arena. The current lease is two years.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adopting a resolution approving the lease. 7-0. 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 711 10th Avenue SW, Ramirez property. Carried.

Moved by Council Member King, seconded by Council Member McAlister, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 907 9th Avenue SW, Winkels property. Carried.

Moved by Council Member Austin, seconded by Council Member McAlister, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 705 9th Avenue SE, Ramos 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 503 8th Avenue SE, Wakefield property. Carried.

Moved by Council Member King, seconded by Council Member Enright, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1010 11th Avenue SW, Johnson property. Carried.

Moved by Council Member Enright, 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 1011 9th Avenue SW, Edge property. Carried.

The Austin Utilities Board has approved a water sales agreement between Austin Utilities and Hormel Foods and requests Council's approval.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adopting a resolution approving the water sales agreement. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member King, setting a hearing for Monday, February 6 for G&R Truck Wash/Garth Carlson. Carried.

REPORTS

Council Member Austin said the Park & Rec Board recently met; most of what was discussed at the Park & Rec meeting was approved by Council tonight.

Council Member King reports that AMCAT ridership is up, the finances are stable, and a grant is coming in.

Council Member-at-Large Anderson reported that the CVB is working on the "Paint the Town Pink" week scheduled for February 2-5. The event is for cancer awareness and prevention.

Council Member-at-Large Anderson noted the Human Rights Commission held the Martin Luther King Jr event at Riverland at which they gave five awards. She commended Chief Krueger.

Council Member Enright reported that the Beyond the Yellow Ribbon committee will meet tomorrow at noon in the City Hall Conference Room, and will also meet Thursday at the VFW at 6:30. They are working on an action plan which someone from the State will review. On Monday, January 23, Council Member Enright will be involved with architect interviews for the LEC remodel. Five firms will be interviewed.

Council Member Clennon commended Danielle Nesvold for her Community Against Bullying effort. Council Member Clennon asked the mayor for a report from a CGMC committee. Mayor Stiehm noted they have held one meeting via teleconference. They are working on their goals for next year, but nothing is final. They are just setting the agendas for now. He did attend their annual meeting in which there was talk of some legislative effort to form a supermajority which the Coalition is opposing.

Community Development Director Craig Hoium said the Vision 2020 ideas have now been narrowed to 30. There were 1600 votes. The selection committee will pare the 30 ideas down to

10. A formal announcement and events involving that will follow. Information can be found on the Vision 2020 website.

Moved by Council Member Austin, seconded by Council Member Enright, adjourning the meeting to February 6, 2012. Carried.

Adjourned: 6:18 pm

Approved: February 6, 2012

Mayor:

City Recorder: