

MINUTES
CITY COUNCIL MEETING
August 6, 2012
5:30 PM
Council Chambers

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

MEMBERS ABSENT: Steve King

STAFF PRESENT: Jim Hurm, Jeanne Howatt, Craig Hoium, Jon Erichson, David Hoversten, Mickey Healey, Larry Dolphin, Brian Krueger, Ann Hokanson

OTHERS PRESENT: Post Bulletin, Austin Daily Herald. Marv Repinski. Matt Simonson. Paul Spyhalski and Pam Hollorah-Aselson. Jerry Mohrfeld. Joey Miller. Public.

Added to the agenda: Consent Agenda: Massage Therapist License for Amy Cook, Brownsdale, MN; a motion granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1007 4th Avenue NE, Huebner property; and a motion approving temporary directional signs to be placed in the public right-of-way for Austin ArtWorks Festival on August 25 and 26.

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

Moved by Council Member-at-Large Anderson, seconded by Council Member Enright, approving the minutes of July 16, 2012. Carried.

Matt Simonson recommended to Council that Kuehn Motors move out of the floodplain to the Industrial Park. He also suggested getting rid of the dike as it is bad for Queen of Angels Church and his neighborhood.

Marv Repinski passed out material from the Vision 2020 project to remodel the downtown decommissioned utilities plant. He supports the development.

Mayor Stiehm recognized and presented a plaque to Jerry Mohrfeld who has served on the Port Authority for 25 years and was an original Port Authority commissioner. Mr. Mohrfeld spoke to Council, noting two people who were instrumental in the formation of the Port Authority: former mayor John O'Rourke and former council member Sid Russell. Mr. Mohrfeld said the Port has been highly successful in its ventures, and between the Port, the City Council, the Development Corporation and the Hormel Foundation, they have accomplished a lot especially

in the last ten years. He recalled some of the successful projects – Austin Packing Company; the Bradley property, the Robinson building purchase. Mr. Mohrfeld said Tom Purcell and he disagreed on the Town Center development, but the project got done and was very successful – and was managed very well by Tom Dankert for a number of years. Also successful has been the improvements to the many downtown storefronts, and he recognized Sarah Douty and Craig Byram on those projects.

The City of Austin was recently recognized as a Beyond the Yellow Ribbon city. Members of the Beyond the Yellow Ribbon committee Paul Spyhalski and Pam Hollorah-Aselson, along with Council Member Judy Enright were in attendance. Council Member Enright read a state proclamation on the designation.

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

Licenses:

Cigarette: AR Grocery, 1000 4th Avenue NE
Food/Mobile: Papa Murphy's
Food/Mobile: Sunny's Ice Cream, Amy Rogas-Meneses
Food/Sidewalk: Piggy Blues BBQ, 323 North Main
Food: Papa Murphy's, 402 1st Avenue SW
Food: Burger King, 1409 4th Street NW
Grand Meadow Lions, Grand Meadow
Massage Therapist: Amy Cook, Brownsdale, MN
Temporary Gambling: Austin Area Chamber of Commerce @ Holiday Inn,
October 10

Claims:

- a. Pre-list of bills.

Carried.

Council received bids for employee life insurance. The lowest bid is from Minnesota Life; the City will see 26% savings, or \$8,895.60. The bid award will be for three years. Bids were as follows:

MN Life	\$27,337.20
MetLife	\$35,174.82
Madison National	\$32,807.40

Moved by Council Member Austin, seconded by Council Member Enright adopting a resolution awarding the bid for employee life insurance to Minnesota Life. 6-0. Carried.

Bids were received on July 31 for airport runway concrete repairs. Bids are as follows:

Doyle Conner Company	\$ 31,372.00
Rocon, Inc.	\$ 42,008.25
Interstate Improvements, Inc.	\$ 64,780.00

This project will be funded 90% from federal funding and 10% locally. Public Works Director Jon Erichson said that due to the airport size, the work could be done without affecting plane traffic.

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, adopting a resolution awarding the bid for airport runway concrete repairs to Doyle Conner. 6-0. Carried.

Bids were received on July 31 for airport taxiway crack repairs. This project will be funded 90% from federal funding and 10% locally. Bids are as follows:

Asklakson's Blacktopping, Inc.	\$ 24,965
Ulland Bros., Inc.	\$ 50,500
Midwest Asphalt Corp.	No Bid
Valley Paving	No Bid
Rochester Asphalt	No Bid

Council Member McAlister questioned the wide gap in the bids. Mr. Erichson said he believed it reflected current work loads of contractors.

Council Member Enright asked if Engineering had worked with Asklakson's Blacktopping before, to which Mr. Erichson said they had not.

Moved by Council Member Austin, seconded by Council Member McAlister, adopting a resolution awarding the bid for airport taxiway crack repairs to Asklakson's. 6-0. Carried.

Bids were received July 31 for airport taxiway joint sealing. This project will be funded 90% from federal funding and 10% locally. Bids are as follows

Fahrner Asphalt, LLC	\$ 12,823
Struck & Irwin Paving, Inc.	\$ 20,961
Asphalt Surface Tech Corp.	\$ 35,905

Moved by Council Member Boughton, seconded by Council Member Enright, awarding the bid for airport taxiway joint sealing to Fahrner Asphalt. 6-0. Carried.

Bids were received July 31 for airport guidance. One bid was received:

Fox Electric Company	\$ 19,780
Electrical Systems, Inc.	No Bid
Kestner Electric, Inc.	No Bid
Thompson Electric	No Bid
Bowman Electric	No Bid

Council Member Boughton questioned the reasonableness of one bid. Mr. Erichson said the total Engineer's Estimate for all four airport bids was \$100,000, so they are considerably below that amount; this bid is well within the expectation.

Moved by Council Member Enright, seconded by Council Member Austin, awarding the bid for airport guidance to Fox Electric. 6-0. Carried.

The City received one bid for the pedestrian crossing on 14th Street NW (Target/Youngers). The project, which is in the CIP, was budgeted at \$100,000. The Engineer's Estimate is \$97,245, and the lone bid from Ulland Bros., Inc. came in at \$99,995.25. Again, Mr. Erichson noted this is likely reflective of the full market for contracts. He noted that the project completion date had been extended to June 1, 2013 to try to encourage more bidders.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, awarding the bid for the 14th Street NW Target/Youngers pedestrian crossing to Ulland Bros., Inc. 6-0. Carried.

Council is requested to approve a Safe & Sober two-year grant agreement with the Minnesota Department of Public Safety. This program is overseen by Captain McKichan, and it includes traffic safety enforcement including seat belt use, distracted driving, and impaired driving equipment. It is paid by the Minnesota Department of Public Safety.

Moved by Council Member Enright, seconded by Council Member Austin, adopting a resolution approving the Safe & Sober grant with the Minnesota Department of Public Safety. 6-0. Carried.

In 2010, Council approved post-issuance procedures for Build America Bond issuance. The City's bond advisors would like the City to adopt these procedures for all types of bonds. The internal and external procedures ensure tax compliance.

Moved by Council Member Boughton, seconded by Council Member Enright, adopting a resolution approving tax-compliant procedures for bond issuance. 6-0. Carried.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adopting a resolution approving release of utility easement. 6-0. Carried.

The Committee-of-the-Whole has recommended denial of a request from The Donut Connection for two-hour parking.

Moved by Council Member Enright, seconded by Council Member Austin, denying request from The Donut Connection for two-hour parking on 5th Place NW. Carried.

The Committee-of-the-Whole has also recommended support for a grant submission to the Austin Area Foundation on behalf of the Community Band.

Council Member McAlister asked Council Member Boughton if he was comfortable with this submission due to the fact that the Community Band has no formal board, etc. Council Member Boughton said he was.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, authorizing a grant application to the Austin Area Foundation on behalf of the Community Band. Carried. 5-1. Carried. Council Member Clennon voted nay.

Moved by Council Member Austin, seconded by Council Member Boughton, adopting a resolution setting a hearing for September 4th to assess the unpaid note balance for G&R Truck Wash. 6-0. Carried.

Moved by Council Member Enright, seconded by Council Member Austin, adopting a resolution approving Findings of Fact relating to the declaration of a dangerous dog and order of destruction. 4-2. Carried. Voting nay: Council Members Boughton and Clennon.

Moved by Council Member Austin, seconded by Council Member McAlister, setting a hearing for August 20th on an amendment to the Comprehensive Plan to change a land-use designation of the future land use map from low-density residential district to an arterial commercial district. Carried.

Moved by Council Member Austin, seconded by Council Member McAlister, setting a hearing for August 20th for a variance governing the minimum lot area of 6000 s.f. and frontage of 60 feet for lots located within an R-1 Single Family Residential District. Carried.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution accepting gifts to the Nature Center. 6-0. Carried.

Moved by Council Member Austin, seconded by Council Member McAlister, granting the Planning and Zoning Department the power to contract for correcting a non-compliant swimming pool at 2413 10th Avenue SW, Eric and Jayda Wood. *(Voice vote taken after following discussion.)*

Council Member Boughton asked what would happen to the non-compliant swimming pools. Community Development Director Craig Hoium said if there are violations on an above- or below-grade swimming pool and the owner fails to comply, his department would just drain the pool so there is no hazard for the public.

Council Member Clennon noted there are many more pools not in compliance. Are we to stop and write every address, she asked, noting there are at least six on the main roads between her home and City Hall. Mr. Hoium said the department does not have the manpower at this time and operates on a complaint basis, an issue is noticed if they are on a property.

Council Member Enright asked if another department such as the Police Department could step in and help. Mr. Hoium said Council could provide his department with addresses of zoning issues, and they would address it. He added that Doug Mauer does the majority of the zoning complaints but is only working five hours a day.

Mayor Stiehm questioned what the procedure is for zoning complaints. Mr. Hoium said staff reviews the matter the day or the next day a complaint is received. The property owner is then sent a letter and given ten days to resolve the issue. If the issue is not resolved, it goes to Council.

Voice vote taken. Carried.

Moved by Council Member Austin, seconded by Council Member Enright, granting the Planning and Zoning Department the power to contract for correcting non-conforming swimming pool at 1100 10th Avenue SW, Berg property. Carried.

Moved by Council Member Austin, Enright, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 601 8th Street NE, Erath property. Carried.

Moved by Council Member Austin, seconded by Council Member Boughton, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1007 4th Avenue NE, Huebner property. Carried.

Moved by Council Member Boughton, seconded by Council Member Enright, approving temporary directional signs to be placed in the public right-of-way for Austin ArtWorks Festival on August 25 and 26. Carried.

REPORTS

Mayor Stiehm allowed Joey Miller to address Council at this time.

Joey Miller, 200 1st Avenue NE, spoke in opposition of the marriage amendment to be placed on the election ballot this fall. He encouraged for the City to vote against “this bad amendment.”

Council Member Clennon, referring to some sessions at the LMC Annual Conference, said she would like to talk about new strategies for engaging the public. She referred to one speaker who said some cities have web pages and blogs to keep the public informed on large projects, and she suggested this idea could be used, for example, on our flood mitigation projects and the NE Austin area annexation and sanitary sewer project. The blog could include pictures and documents of the projects.

Council Member-at-Large Anderson attended the SEMLM meeting in Mantorville on July 31. The meeting was a candidate forum of 14 people running for state senator and representative seats. Council Member-at-Large Anderson also attended a recent Vision 2020 bike and trail meeting that day. Council accepted the Envision grant a while ago. Mr. Erichson said the scope of work is being put together and should be ready in the next week or so. Council Member-at-Large Anderson said Austin is one of six cities receiving the Envision grant.

Council Member Austin attended the Park & Rec Board meeting last week at which they discussed the Hormel Foundation grant application from Park & Rec. Also discussed was an amendment to the shade tree ordinance which would include wording on pests (ash borer).

City Administrator Jim Hurm recognized and thanked Lindy Crawford who has been at the City as an intern for seven months.

Mayor Stiehm told Mr. Miller that he would advise him of any further discussion that Council may want to have at a work session on the marriage amendment.

Mayor Stiehm said he attended the CGMC Annual Meeting in Owatonna. Much of the discussion was about LGA and that they’re devising a new formula. Currently the City receives 47% of its budget from LGA, and this could potentially change.

Moved by Council Member Austin, seconded by Council Member Boughton, adjourning the meeting to August 20, 2012.

Adjourned: 6:13 pm

Approved: August 20, 2012

Mayor: _____

City Recorder: _____