

MINUTES
CITY COUNCIL MEETING
September 17, 2012
5:30 PM
Council Chambers

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

MEMBERS ABSENT: None.

STAFF PRESENT: Jim Hurm, Craig Hoium, Jon Erichson, David Hoversten, Mickey Healey, Kim Underwood, Brian Krueger, Brian Krueger.

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

Added to the agenda was item #17 request for use of the speed trailer and item #18 approve airport improvement grant award. Item #15a junk removal at 1009 4th Avenue NE Arens property was removed from the agenda.

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

Moved by Council Member-at-Large Anderson, seconded by Council Member Boughton, approving the minutes of September 4, 2012. Carried.

Matt Simonson spoke to Council saying government is unresponsive to the liberty and justice for all. Mr. Simonson further went on about an earlier motion by Council Member McAlister that Mayor Stiehm seconded. Mayor Stiehm corrected Mr. Simonson that the Mayor cannot second a motion and further noted that what Mr. Simonson was saying is not an accurate statement.

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

Licenses:

Temporary 3.2 Beer On-Sale: Austin Jaycees @ Paramount Theatre, Sept. 22, Oct 5, Oct 26 and Nov 21, 2012

Master Plumber: Kasper Plumbing, Inc., Owatonna, MN

Claims:

a. Credit Card, Financial and Investment Reports.

Pre-list of Bills.

Carried.

The City of Austin received bids for fuel tank removals at Riverside Arena and the Waste Water Treatment Plant. Bids for the project are as follows:

BH Petroleum Company

\$ 19,692.00

Rochester Petroleum Equipment Inc. \$ 24,555.08

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution awarding the bid to BH Petroleum Company. 7-0. Carried.

The City of Austin received bids for drainage tiling at 10th/11th Avenue SW from 18th Street to 21st Street. Bids for the project are as follows:

Jensen Excavating & Trucking, LLC	\$ 37,305.00
Blitz Construction	\$ 46,580.00

Council Member Clennon questioned why this project is done in 2013 as part of a street project in the area. To save cost. Mr. Erichson stated he did not know if there would be savings until it would be bid out in 2013, and currently the project is budgeted for the 2012 construction season.

Moved by Council Member Boughton, seconded by Council Member King, adopting a resolution awarding the bid to Jensen Excavating & Trucking, LLC. 7-0. Carried.

The City of Austin received bids for building demolition at 312 7th Avenue SE and 1305 3rd Street NE as follows:

Wallace Busted Excavation Service	\$ 8,400.00
H & L Brothers	\$ 8,790.00
Householder Excavating, LLC	\$ 12,210.00

Moved by Council Member King, seconded by Council Member Boughton, adopting a resolution awarding the bid to Wallace Busted Excavation Service. 7-0. Carried.

Chief Krueger presented a joint powers agreement between the City of Austin and the Bureau of Criminal Apprehension. This resolution is needed to continue our efforts to jointly investigate and prosecute crimes committed against children facilitated by the use of computers. Council Member Clennon questioned if we had somebody affiliated with this before, as this agreement looks like a current agreement expired. Chief Krueger stated Detective Haider was involved with this in the past, and this is the second year of doing this jointly.

Moved by Council Member-at-Large Anderson, seconded by Council Member King, adopting a resolution approving a joint powers agreement with the Bureau of Criminal Apprehension. 7-0. Carried.

Mr. Hoium noted this is a DEED program that allows us to get certified as a shovel-ready community, it opens up a lot of potential for the Cook Farm. The DCA has agreed to pay for one half of this estimated \$3,000 fee. Mr. Hoium stated we pay the \$3,000 only if we are accepted.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution approving participation in the shovel-ready certified program with the Minnesota Department of Employment and Economic Development. 7-0. Carried.

Mr. Erichson discussed a change to our ordinance 3.30 that is being proposed to change to comply with the requirements of the MPCA. If approved we will be required to implement this

program before October 19, 2012 that will include adopting this ordinance, issuing necessary permits (ICM's), and commencing all procedures. Mr. Erichson discussed the key changes in the ordinance.

Moved by Council Member-at-Large Anderson, seconded by Council Member Austin, to prepare the ordinance. Carried.

Moved by Council Member-at-Large Anderson, seconded by Council Member Austin, to adopt and publish the ordinance. 7-0. Carried.

Moved by Council Member King, seconded by Council Member Enright, adopting a resolution approving Findings of Fact relating to the declaration of a dangerous dog owned by Jessica Hnatyszyn and that all seven requirements listed in the order be fulfilled before the dog is returned to its owner. 6-1. Carried. Voting nay: Council Member Clennon as she noted this incident did not happen within the city limits.

Moved by Council Member King, seconded by Council Member Enright, adopting a resolution approving Findings of Face relating to the declaration of a dangerous dog owned by Laura Marsolek and that all seven requirements listed in the order be fulfilled before the dog is returned to its owner. 6-1. Carried. Voting nay: Council Member Clennon.

Mr. Erichson noted the City of Austin received a grant for technical assistance to help growth and job creation to improve the quality of life within the City of Austin. Council Member-at-Large Anderson actually submitted this grant on our behalf, and this grant primarily is for the expanded bike trail system.

Moved by Council Member-at-Large Anderson, seconded by Council Member King, adopting a resolution approving the envision grant agreement. 7-0. 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 1210 10th Avenue NW, Vietor 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 611 14th Street NW, Hebl 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 1009 2nd Avenue SW, Goudy property. Carried.

Mr. Hoium presented council with a request to consider a fence appeal petitioned by Lupe Cordova, 310 1st Street SE pursuant to City Code Sec. 4.70. The Cordova's would like to install a six foot tall solid fence in a corner side yard area for privacy concerns, but council will need to grant a variance for such. Council Member Boughton noted he visited the home and agrees that

this fence appeal should be approved. Council Member Clennon stated we have seen this type of request before where we required an angle fence next to the driveway. Mr. Hoium stated this has not been discussed with the Cordova's. Council Member Boughton stated an angle fence would then make the yard even smaller and would not be practical in his opinion. Mr. Hoium noted in the past both requirements have been requested by Council.

Moved by Council Member Boughton, seconded by Council Member Enright approving of the fence variance for Lupe Cordova, 310 1st Street SE. Carried 6-1 Council Member Clennon – Nay.

Moved by Council Member King, seconded by Council Member Enright, authorizing the local snowmobile club to use the speed trailer for the Veterans Pride Snowmobile Grass Drags at the Mower County Fairgrounds this upcoming weekend. Carried.

Mr. Erichson presented a grant agreement with MnDOT to cover 90% of the improvements at the Austin Municipal Airport. The grant agreement is for \$117,715.00.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution approving the airport improvement grant agreement. 7-0. Carried.

REPORTS

Council Member Clennon noted she attended the Patriots Day ceremony on Sunday, September 9, and also Tuesdays on First and Third noting both were well attended by the public. Additionally, Council Member Clennon stated the Vision 2020 Technology Committee will be having a meeting tonight to firm up a survey to be sent to Austin residents regarding the needs of the general public for what electronic devices they are using. Council Member Clennon questioned the status of the policy on evidence handling. Chief Krueger stated Captain McKichan is checking into what other police departments are doing in this area.

Council Member Boughton stated the Austin HRA will be holding interviews a week from this Friday for the HRA Executive Director candidates.

Council Member-at-Large Anderson stated RE-FEST that was held this last Saturday was well attended and a success.

Council Member King congratulated the Austin 12 and under All-Star baseball team as they recently attended a Twins game to receive their championship rings for winning a state tournament.

Ms. Underwood stated the Youth Activity Center will open on Monday, 9 September 24 at 3:30 at Riverside Arena. Additionally there will be an adult open hockey league starting up and public skating is now open.

Moved by Council Member King, seconded by Council Member Austin, adjourning the meeting to October 1, 2012.

Adjourned: 6:07

Approved: October 1, 2012

Mayor: _____

City Recorder: _____