

M I N U T E S  
CITY COUNCIL MEETING  
June 3, 2013  
5:30 PM  
Council Chambers

MEMBERS PRESENT: Mayor Stiehm. Council Members Judy Enright, Steve King, Jeff Austin, Michael Jordal, Roger Boughton, Jeremy Carolan. Council Member-at-Large Janet Anderson.

MEMBERS ABSENT: None.

STAFF PRESENT: Jim Hurm, Tom Dankert, Craig Hoiium, Jeanne Howatt, Steven Lang, David Hoversten, Mickey Healey, Brian Krueger and Kim Underwood.

OTHERS PRESENT: Austin Daily Herald. Public.

Mayor Stiehm called the meeting to order at 5:30 pm.

Added to the agenda: A resolution approving a Limited Use Permit for the Nature Center Pedestrian Trail.

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

Moved by Council Member King, seconded by Council Member-at-Large Anderson, approving the minutes of May 20, 2013. Carried.

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

Licenses:

Food/Mobile: 24 Karot Gardens/Jennifer Lomack at Tuesdays on Main      Food/Mobile:  
Cold Stone Creamery, Rochester, MN at Tuesdays on Main  
Food/Mobile: Rochester Realty Pros/Mama Meg's Parlour at Tuesdays on Main  
Food/Mobile: Serena's Sweets/Serena Brolsma at Tuesdays on Main  
Food/Mobile: Via Venteo Italian Ice/Dana Helgersen at Tuesdays on Main  
Massage Therapist: Greg Tennis, Austin, MN  
Master Plumber: P&B Mechanical/Keith Bowe, Stewartville, MN  
Sign Installer: Scenic Signs/Robert Gruber, St. Cloud, MN  
Temporary 3.2 Beer: Austin Jaycees, Paramount on June 8, 13 & July 12, and  
Tuesdays on Main on June 11

Claims:

- a. Pre-list of Bills.

Carried.

The City has received informal bids for asbestos abatement of roofing materials on the structure located at 900 N. Main Street, the former Sinclair gas station. Bids were as follows:

Safe Air Systems	\$ 6250
MAVO Systems	\$ 7420
Asbestrol, Inc.	\$ 8640

Moved by Council Member Boughton, seconded by Council Member Enright, adopting a resolution awarding the bid to Safe Air Systems. 7-0. Carried.

Moved by Council Member-at-Large Anderson, seconded by Council Member King, approving requests from the Austin Area Chamber of Commerce for Freedom Fest on July 3-7. (Requests to individual departments have been made, and there are no objections.) 7-0. Carried.

City Administrator Jim Hurm reported that the Sustainability Taskforce has worked diligently to sculpt an energy use policy. The policy encourages energy and natural resource conservation while practicing sound financial management.

#### **CITY OF AUSTIN ENERGY USAGE POLICY**

- The City will encourage energy and natural resource conservation while practicing sound financial management.
- The City will develop short and long-range strategies to support energy awareness and efficiency and encourage participation in energy efficiency efforts.
- City department heads or their designees will be responsible for monitoring and reporting of energy use and cost to the finance director on an annual basis.
- Energy efficiency will be a major consideration in purchasing equipment, new construction and remodeling of City facilities.
- Operational standards
  - Lighting will be turned off in unoccupied areas except corridors, stairwells, and exits as necessary for safety
  - Windows should be kept closed during the heating season and when air conditioning units are in operation
  - All electronics should be shut off at night

#### **CITY OF AUSTIN WASTE REDUCTION AND RECYCLING POLICY**

- The City will comply with all state laws relating to waste management and to make resource conservation an integral part of City operations.
- The City of Austin promotes the:
  - Reduction of waste
  - Separation of recyclable commodities and commodities containing recycled materials

- Procurement of recyclable commodities and commodities containing recycled materials
- The City will attempt to:
  - Decrease the amount of waste of consumable materials whenever practicable
  - Promote full utilization of materials prior to disposal
  - Minimize the use of non-biodegradable products whenever practicable
- Each City facility will have containers for at least three of the following materials: paper, glass, plastic, and metal. The City will then collect and recycle said material in a manner worked out with Mower County Recycling Center.

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, adopting the City of Austin Energy Usage Policy, and the City of Austin Waste Reduction and Recycling Policy. Carried.

*(The following action pertained to the 5:00 closed work session.)* Council Member Austin read the following motion: I move that the City of Austin approve an agreement negotiated with former police officer Emily Anderson confirming her termination from employment effective February 22, 2013, paying her 33 weeks of salary at her regular wage subject to all applicable state and federal withholding together with an additional \$600, and requiring that Ms. Anderson execute by her signature a full, final, and complete release of all potential claims relating to her employment with the City. The motion was seconded by Council Member Enright. Carried.

Moved by Council Member Austin, seconded by Council Member King, appointing Kris Heichel to the Austin/Mower County Homeownership Board, term expiring December 31, 2014. Carried.

Lakeside Properties (Jim Baldus) has petitioned for a minor subdivision which also involves the consolidation of two separate parcels. The northerly portion of the supermarket on the 400 block of 11<sup>th</sup> Street NE is proposed for a new bus storage and maintenance facility. The bus parcel will be consolidated with the former Vel Ved property. Community Development Director Craig Hoium has contacted utilities and there are no objections.

Moved by Council Member Boughton, seconded by Council Member Enright, adopting a resolution approving the minor subdivision. 7-0. Carried.

As part of the airport expansion in the mid 2000s, the City purchased property for the runway protection zone south of the airport. Property owned by Dennis and Julie Loucks was purchased and in doing so, a land-locked parcel was created eliminating access to their farm field. They are requesting an access easement across the parcel now owned by the City.

Council Member Enright confirmed with City Attorney David Hoversten that the Loucks would be responsible for the access maintenance.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution approving the access easement. 7-0. Carried.

The City has a longstanding relationship with MnDOT for routine maintenance of Highway 105 (W. Oakland from I-90 to 12<sup>th</sup> Street, and 12<sup>th</sup> Street south to approximately Turtle Creek bridge). The City is responsible for minor maintenance: snowplowing, sanding and minor patching, and in return, MnDOT reimburses the City. The Department of Transportation has reimbursed us \$8,504.66 for each of the last three years. The proposed rates for 2014 and 2015 include a 3% increase each year.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution approving Hwy 105 Maintenance Agreement. 7-0. Carried.

An internal posting as a result of the retirement of Al Wigant in the Sewer Department resulted in switched positions within the Sewer Department and Street Department. City Engineer Steven Lang requested authorization to fill the now vacant chauffeur position in the Street Department.

Council Member Austin confirmed with Mr. Lang that the position is budgeted.

Council Member King questioned what the job of chauffeur entails. Mr. Lang stated that it involves snowplowing in the winter and maintenance and patching streets in the summer.

Moved by Council Member Boughton, seconded by Council Member Austin, approving the replacement of a chauffeur position in the Street Department. Carried.

City Administrator Jim Hurm referred to a memo to Council requesting they consider reverting to the previous policy of filling budgeted positions without Council approval. There was no opposition from Council.

Council Member King made a motion to revert to the previous policy of filling budgeted positions without Council approval. The motion was seconded by Council Member Austin. Mayor Stiehm requested Council be notified when positions are filled, however.

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 809 3<sup>rd</sup> Avenue NW, Gilbertson 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 1906 8<sup>th</sup> Street NW, Timber Development 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 106 11<sup>th</sup> Street NW, Gullickson 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 309 11<sup>th</sup> Street NW, Robinson property. Carried.

Moved by Council Member Enright, 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 814 9<sup>th</sup> Avenue SW, Nelson property. Carried.

Steven Lang stated staff has been working with G&R Truck Wash on resolution of their Individual Control Mechanism and outstanding bills. There are five outstanding issues which were spelled out in a letter from Hoversten's office to G&R dated May 17, 2013. Mr. Lang said the parties are still negotiating; however, his recommendation is to reject G&R's current offer. Staff will continue to work with G&R over the next few weeks with the goal of bringing an agreement to Council on June 17. Mr. Hoversten advised tabling the matter.

Moved by Council Member Austin, seconded by Council Member Boughton, to table the current proposed contract offer with G&R Truck Wash. Carried.

The federally funded Nature Center pedestrian trail requires review of project documents by multiple agencies. MnDOT is requesting a Limited Use Permit due to the project's proximity to I-90 and encroachment into the MnDOT right-of-way near 21<sup>st</sup> Street and 28<sup>th</sup> Street NE. The permit will expire on 5/23/2038, or the City must reapply for a new limited use permit not less than 90 days prior to the expiration date. The City will be responsible for all maintenance and construction of the trail. And the City must defend, indemnify and hold harmless and release the State against any claims or damages from the use and operation of the trail.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adopting a resolution approving a Limited Use Permit. 7-0. Carried.

## REPORTS

Council Member Michael Jordal attended a Main Street Project meeting last week. They are involved with the opening of Dusty's. A plan is in place to display banners (for Vision 2020, Main Street Project, etc.) on the Med City Mobility building. A photography studio is opening upstairs. The Main Street Project is involved with the May 31<sup>st</sup> downtown kickoff.

Council Member Jeremy Carolan attended the Austin/Mower County Homeownership Fund meeting on May 23. They have made 13 loans for a total of \$52,000 since December 31, 2012. Council Member Carolan also thanked Chief Healey for his service, this being Healey's last week.

City Engineer Steven Lang reported work on I-90 is progressing through the rain. The center median is finished. Now traffic will be moved to the center, and ramps and ramp closures will occur. He has received a schedule from MnDOT; they have been sending press releases to the media.

Police Chief Brian Krueger received a parade permit from the YMCA. The Y is planning a triathlon for kids on June 8 and has requested to close Main Street from 5<sup>th</sup> Place by the pool to 11<sup>th</sup> Avenue. The road would be closed for 45 minutes to 1 hour. He has consulted with Steven Lang and Mickey Healey who have agreed to the street closing. Chief Krueger advised everyone that the road would be closed from 8:15 am to 9:15 am.

Chief Healey expressed his appreciation of support to him and the Fire Department. He has seen growth and progress since his few years with the department.

Mayor Stiehm and various council members thanked Chief Healey for his service.

City Administrator Jim Hurm introduced Seibel Center Executive Director Heather Steinkamp who gave a brief PowerPoint presentation. With the help of a Department of Justice grant, the center began in 2005. They have been in service for five years and have over 10,000 hours of service logged. At the start, the center was one of 13 in the country. Thus, they have been host to some informational gathering visits and staff training. Workers at the center must go through an extensive process including 120 hours of training. Ms. Steinkamp stated the center is currently funded via a 4-year Department of Justice grant and funding from the United Way.

Park & Rec Director Kim Underwood said the pool is scheduled to be open next Monday.

Moved by Council Member Austin, seconded by Council Member King, adjourning the meeting to June 17, 2013. Carried.

Adjourned: 6:10 pm

Approved: June 17, 2013

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

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