

M I N U T E S  
CITY COUNCIL MEETING  
January 6, 2014  
5:30 PM  
Council Chambers

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

MEMBERS ABSENT:

STAFF PRESENT: Director of Administrative Services Tom Dankert, Community Development Director Craig Hoium, Public Works Director Steven Lang, City Attorney David Hoversten, Police Chief Brian Krueger, Fire Chief Jim McCoy, Library Director Ann Hokanson, Park and Rec Director Kim Underwood and City Clerk Ann Kasel

OTHERS PRESENT: Bonnie Reitz, KAAL 6 News, Austin Daily Herald, Public

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

Added to the agenda:

5. (Under *Consent Agenda Licenses*)

Cigarette: Ras Enterprise, LLC dba Cheers Liquor Austin, 1807 Michael Pl, Albert Lea

Excavation: Eventis Telecom Corp dba Hickory Tech, PO Box 3288, Mankato

Massage Therapist: Patrick Whalen, 58306 220<sup>th</sup> Street

Temporary On-Sale Liquor: Dave "Tolly" Tollefson Cancer Foundation, 1004 2<sup>nd</sup> Drive SW, at the Polar Plunge, East Side Lake, February 15, 2014

(res) 17. Receiving feasibility report and calling a hearing for February 18, 2014 for street improvement on 8<sup>th</sup> Street NE (8<sup>th</sup> Avenue to 10<sup>th</sup> Avenue) and 8<sup>th</sup> Avenue NE (8<sup>th</sup> Street NE to DM&E RR), Project 1-A-11. (updated resolution)

(res) 18. Receiving feasibility report and calling a hearing for February 18, 2014 for street improvement on 8<sup>th</sup> Street NW (17<sup>th</sup> Avenue to 18<sup>th</sup> Avenue) and 17<sup>th</sup> Avenue NW (4<sup>th</sup> Street to 8<sup>th</sup> Street), Project 7-A-13. (updated resolution)

(res) 26. Granting a transfer of off-sale liquor license from CAS Enterprise – Venture, VIII, LLC dba Cheers Liquor to Ras Enterprise, LLC dba Cheers Liquor.

Removed from the agenda:

11. Approving agreement between United Automobile, Aircraft, Aerospace, Agricultural Workers of America (UAW) and its Local 867-Street and Sewer Maintenance and the City of Austin for calendar years 2014-2016.

12. Approving agreement between United Automobile, Aircraft, Aerospace, Agricultural Workers of America (UAW) and its Local 867-Waterwater Treatment Plant and the City of Austin for calendar years 2014-2016.

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

Moved by Council Member Jordal, seconded by Council Member Boughton, approving the minutes of December 16, 2013 and December 30, 2013. Carried.

## AWARDS AND RECOGNITIONS

Tom Brogan was introduced by Police Chief Krueger and sworn in as the Austin Police Department's 32<sup>nd</sup> officer. Prior to coming to Austin Tom worked in Adams and Brownsdale.

Jim McCoy was introduced as the new Fire Chief with his first day being today. Mr. McCoy is from the Rochester Fire Department and is looking forward to working with the Austin Fire Department and with the Community.

## CONSENT AGENDA

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

### Licenses:

Cab Driver: Christian Draayer, 104 South Main Street  
Commercial Hauler: Waste Management of S. MN, 25237 755<sup>th</sup> Ave, Clarks Grove  
Excavation, Fraser Construction Co., 3725 Enterprise Drive SW, Rochester  
Food: Aldi Foods, Inc. 4201 Bagley Avenue North, Faribault, MN  
Food: Austin Foods dba Wendy's, 1401 18<sup>th</sup> Avenue NW  
Food: Sudanese Community International Market, 501 1<sup>st</sup> Street NW  
Food: Raysons LLC dba Quiznos Sub, 1702 17<sup>th</sup> Street NW #H  
Food: Sara G. Beauty Supply/African Food Market, 113 4<sup>th</sup> Avenue NE  
Garbage Hauler, Waste Management of S. MN, 25237 755<sup>th</sup> Ave, Clarks Grove  
Kennel: Mower County Humane Society, Inc., 101 22<sup>nd</sup> Street SE  
Massage Therapist: Alisha Baker, 133 1<sup>st</sup> Street SW, Blooming Prairie  
Master Plumber: Jensen Heating AC & Plumbing, PO BOX 306, Geneva  
Master Plumber: Owner's Plumbing, Inc., 712 14<sup>th</sup> Avenue NE, Rochester  
Master Plumber: Superior Companies of Minnesota, Inc., 1244 60<sup>th</sup> Avenue NW, Rochester  
Pawn Shop: The Downtown Pawn Shop, 124 3<sup>rd</sup> Avenue NW  
Sign Installer: Bird Sign, Inc., 17595 Peru Rd #2, Dubuque, IA  
Tree Removal: Olson Tree Service, Inc., 310 4<sup>th</sup> Avenue NW  
Exempt Gambling: Mower County Habitat & Pheasants Forever, March 15, 2014  
Holiday Inn, Austin  
Cigarette: Ras Enterprise, LLC dba Cheers Liquor Austin, 1807 Michael Pl, Albert Lea  
Excavation: Eventis Telecom Corp dba Hickory Tech, PO Box 3288, Mankato  
Massage Therapist: Patrick Whalen, 58306 220<sup>th</sup> Street

Temporary On-Sale Liquor: Dave “Tolly” Tollefson Cancer Foundation, 1004 2<sup>nd</sup> Drive SW,  
at the Polar Plunge, East Side Lake, February 15, 2014

Claims:

- a. Pre-list of bills.
- b. Financial Reports

Carried.

#### PETITIONS AND REQUESTS:

Director of Administrative Services Tom Dankert presented on the annual resolution for designating depositories for check and investment of public funds for 2014. The City is required each year to pass a resolution to state where funds are authorized to be deposited and invested.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adopting a resolution designating depositories for checking and investments of public funds for 2014. Carried 7-0.

Director of Administrative Services Tom Dankert presented on the annual resolution to designate the official newspaper for the City. The Austin Daily Herald is the only newspaper in Austin that complies with Minnesota Statutes as a legal newspaper. The quote from the Austin Daily Herald for 2014 is \$3.17 per column inch which is an increase from the 2013 rate of \$2.91.

Moved by Council Member Enright, seconded by Council Member King, designating the official newspaper for the City of Austin as the Austin Daily Herald for the year 2014. Carried.

Director of Administrative Services Tom Dankert stated at the December 16, 2013 the Council passed a resolution setting the 2014 mileage rate at 56.5 cents per mile. The actual rate is 56 cents per mile and therefore the old resolution needs to be rescinded and a new resolution passed.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution rescinding resolution 14644. Carried 7-0.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution setting the mileage reimbursement rate for 2014 at 56 cents per mile. Carried 7-0.

Director of Administrative Services Tom Dankert presented on the proposed terms of the labor agreement for the Austin Employees Association contract for 2014-2016. The contract is a three year agreement with wage increases of 2% each January. There is also a new clothing allowance provision for the two waste water treatment plant laboratory positions of \$125 every two years, a new position for an administrative assistant clerk/cashier position and the removal of the City Clerk from the group.

Moved by Council Member Boughton, seconded by Council Member Enright, adopting a resolution approving the agreement between Austin Employees Association and the City of Austin for calendar years 2014-2016. Carried 7-0.

Director of Administrative Services Tom Dankert presented on the proposed terms of the labor agreement for the United Automobile, Aircraft, Aerospace, Agricultural Workers of America

(UAW) and its Local 867-Park and Recreation contract for 2014-2016. The contract is a three year agreement with wage increases of 2% each January, an increase to the closing allowance from \$125 to \$175 annually along with adding language so a terminating employee reimburses the City on a prorated basis for time not worked, safety glasses allowance changing from \$100 every year to \$200 every other year, meal allowance increase for employees required to work through meals from \$5.00 to \$8.00, change in language of when double time is paid and membership in the Health Care Savings Plan by an employee contribution.

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson , adopting a resolution approving the agreement between United Automobile, Aircraft, Aerospace, Agricultural Workers of America (UAW) and its Local 867-Park and Recreation and the City of Austin for calendar years 2014-2016. Carried 7-0.

Director of Administrative Services Tom Dankert presented on the 2014-2016 wage increase for certain full time non-union and non-exempt personnel. The resolution specifies a 2% increase each year along with appropriate step adjustments for each position if they are not currently at the top step of the approved rate for the position.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution approving a wage increase for certain regular fulltime non-exempt employees not covered by a labor agreement for calendar years 2014-2016. Carried 7-0.

Community Development Director Craig Hoium stated there were additional acquisition costs in acquiring the property located at 409 2<sup>nd</sup> Street SW. A title opinion revealed an outstanding mortgage to the Minnesota Housing Finance Agency in the amount of \$7,890 and a judgment in the amount of \$1,516.32. The mortgage was forgiven but the judgment was paid by the Housing and Redevelopment Authority. The HRA is now requesting the City split this cost.

Moved by Council Member Boughton, seconded by Council Member-at-Large Anderson, adopting a resolution authorizing split of additional acquisition costs with HRA for the Janning property located at 409 2<sup>nd</sup> Street SW. Carried 7-0.

Director of Public Works Steven Lang presented on the 2014 street reconstruction projects. There will be fewer streets reconstructed this year due to other flood control projects. The proposed feasibility reports identify the proposed project scope, the estimated project cost and the proposed funding source. If the Council approves the feasibility reports then the next steps would be to have informational meetings with adjacent property owners, meetings with infrastructure providers, public hearings and assessment hearings.

The feasibility report on 1-A-14 was presented as follows: 8<sup>th</sup> Avenue SW is a roadway consisting of an urban design asphalt street with curb & gutter. The roadway width is 36 feet. The pavement was likely constructed in the early 60's and the roadway is classified as a collector. 8<sup>th</sup> Avenue SW is part of the City's Municipal State Aid System. The proposed project will consist of the following:

- 1) Removal of the existing asphalt pavement, curb, indrives and deficient sidewalk.
- 2) Replace with a design for a Mn/DOT 10 ton roadway. The new curb and gutter will be constructed at 38 feet to meet current standards for the collector classification

- 3) Currently there is not any storm sewer in this area. It is proposed to install storm sewer and connect into the closest system at the intersection of 8<sup>th</sup> Avenue & 20<sup>th</sup> Street SW. This will include approximately 1600 LF of storm sewer main, ranging in size from 12" to 30", multiple manholes, catch basins and storm sewer leads.
- 4) A tile system will be installed to improve subsurface drainage.
- 5) A portion of the sanitary sewer will be capped and left in-place as it is currently not in use.
- 6) Portions of the sanitary sewer will be lined to eliminate roots & infiltration.
- 7) Sanitary manholes will be repaired or replaced.
- 8) Provide handicap accessible intersections and upgrade existing deficient sidewalk.
- 9) Austin Utilities will replace the water main, gas main, and relocated power poles as needed.

The estimated construction costs are as follows:

|                           |           |
|---------------------------|-----------|
| 8 <sup>th</sup> Avenue SW | \$935,000 |
|---------------------------|-----------|

The total estimated costs would be funded as follows:

|                     |           |
|---------------------|-----------|
| Municipal State Aid | \$675,000 |
| Assessment Bonds    | \$135,000 |
| WWTP Fund 61        | \$ 50,000 |
| SWUD Fund 67        | \$ 75,000 |

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution receiving feasibility report and calling a hearing for February 18, 2014 for street improvement on 8<sup>th</sup> Avenue SW (12<sup>th</sup> Street to 18<sup>th</sup> Street), Project 1-A-14. Carried 7-0.

The feasibility report on 1-A-11 was presented as follows: These roadways consist of concrete pavement, urban design with curb at a width of 44 feet. 8<sup>th</sup> Avenue was constructed in 1988 and was rehabilitated with a dowel bar retrofit in 1996. 8<sup>th</sup> Street was constructed in 1983 with undoweled concrete. Both streets are part of the City's Municipal State Aid System and have been approved as projects for a Federal Highway Grant for 2014. The proposed project will consist of the following:

- 1) Removal of the existing concrete pavement, curb, indrives and deficient sidewalk.
- 2) Replace with concrete pavement with integral curb to a width of 44 feet.
- 3) Storm sewer laterals and catch basins will be upgraded to improve storm water drainage.
- 4) A tile system will be installed to improve subsurface drainage.
- 5) The sanitary sewer has been televised and shows a need to replace/repair a couple of runs from pipe collapses. Other portions of the sanitary sewer will be lined to eliminate roots & infiltration.
- 6) Sanitary manholes will be repaired or replaced.
- 7) Pavement striping and signage will be designed in accordance with Minnesota MUTCD Manual.
- 8) Provide handicap accessible intersections and trail crossings and upgrade existing deficient sidewalk.
- 9) Street lighting will be evaluated and updated as part of the project.
- 10) Austin Utilities will replace the water main throughout the project and complete some gas main updates on the 900 block of 8<sup>th</sup> Avenue.

The estimated construction Project Memo:

|                           |           |
|---------------------------|-----------|
| 8 <sup>th</sup> Avenue NE | \$518,750 |
| 8 <sup>th</sup> Street NE | \$231,250 |
| Sanitary Sewer            | \$ 65,000 |

The total estimated costs would be funded as follows:

|                       |           |
|-----------------------|-----------|
| Federal Highway Grant | \$600,000 |
| Municipal State Aid   | \$150,000 |
| WWTP Fund 61          | \$ 65,000 |

This work will be considered a maintenance project with no assessment to the adjacent property owners.

Moved by Council Member Boughton, seconded by Council Member Austin, adopting a resolution receiving feasibility report and calling a hearing for February 18, 2014 for street improvement on 8<sup>th</sup> Street NE (8<sup>th</sup> Avenue to 10<sup>th</sup> Avenue) and 8<sup>th</sup> Avenue NE (8<sup>th</sup> Street NE to DM&E RR), Project 1-A-11. Carried 7-0.

The feasibility report on 7-A-13 was presented as follows: This roadway consists of and urban design asphalt pavement with curb and gutter at a width of 44 feet. The pavement was constructed in 1989/90 as part of the Holiday Inn development. Both streets are part of the City's Municipal State Aid System.

The proposed project will consist of the following:

- 1) Milling of the pavement surface.
- 2) Geotechnical fabric will be placed over the thermal cracks in order to prolong the serviceable life of the pavement.
- 3) Overlay the pavement with at least 2 inches of asphalt pavement and increase the center crown to improve surface drainage.
- 4) To promote multiple modes of transportation, we would propose to add sidewalk along 17<sup>th</sup> Avenue and provide ADA compliant ramps where necessary.

The estimated construction costs are as follows:

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|--|-----------|
| 8 <sup>th</sup> Street NW & 17 <sup>th</sup> Avenue NW | \$175,000 |
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The total estimated costs would be funded as follows:

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|---------------------|-----------|
| Municipal State Aid | \$175,000 |
|---------------------|-----------|

This work will be considered a maintenance project with no assessment to the adjacent property owners.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution receiving feasibility report and calling a hearing for February 18, 2014 for street improvement on 8<sup>th</sup> Street NW (17<sup>th</sup> Avenue to 18<sup>th</sup> Avenue) and 17<sup>th</sup> Avenue NW (4<sup>th</sup> Street to 8<sup>th</sup> Street), Project 7-A-13. Carried 7-0.

The feasibility report on 6-A-13 was presented as follows: The existing Streets have a width of 34 feet and a large portion of the roadways does not have curb and gutter. The existing Avenues

have a width of 30 feet with curb and gutter along both sides. These roadways were likely constructed in the early 60's. The proposed project will consist of the following:

- 1) With this project we will remove the existing asphalt pavement, curb, indrives, and deficient sidewalk.
- 2) Replace with 4.5" of asphalt pavement and 6" aggregate base. The new curb & gutter would be constructed at 32 feet on the Avenues and 36 feet on the Streets.
- 3) Storm sewer will be upgraded with the addition of catch basins and the repair/replacement of existing deteriorated structures.
- 4) Sanitary sewer will be constructed on 7<sup>th</sup> Street SE between 8<sup>th</sup> Ave. and 9<sup>th</sup> Ave. and on 6<sup>th</sup> Street SE between 9<sup>th</sup> Ave. and 10<sup>th</sup> Ave. to provide direct access to properties which currently have extraordinarily long services that run out to the avenues.
- 5) Existing sanitary sewer mains will be lined to eliminate roots & infiltration.
- 6) Repair or replacement will be made to deficient sanitary manholes.
- 7) Provide ADA ramps at intersections and upgrade existing sidewalk.
- 8) Install sidewalk on 6<sup>th</sup> Street SE between 8<sup>th</sup> Ave and 9<sup>th</sup> Ave to complete a missing link in the system.

The estimated construction costs are as follows:

|                   |             |
|-------------------|-------------|
| Kaufman Park Area | \$1,075,000 |
|-------------------|-------------|

The total estimated costs would be funded as follows:

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|------------------|-----------|
| Assessment Bonds | \$900,000 |
| WWTP Fund 61     | \$ 75,000 |
| SWUD Fund 67     | \$100,000 |

Abutting property owners would be assessed based on the City's assessment policy.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution receiving feasibility report and calling a hearing for February 18, 2014 for street improvement on the "Kaufman Park Area" (9<sup>th</sup> Avenue SE-Abandoned RR to 8<sup>th</sup> Street), (10<sup>th</sup> Avenue SE-Abandoned RR to 8<sup>th</sup> Street), (11<sup>th</sup> Avenue SE-Abandoned RR to 8<sup>th</sup> Street), (6<sup>th</sup> Street SE-8<sup>th</sup> Avenue to 10<sup>th</sup> Avenue) and (7<sup>th</sup> Street SE-8<sup>th</sup> Avenue to 11<sup>th</sup> Avenue), Project 6-A-13. Carried 7-0.

The feasibility report on 4-A-14 was presented as follows: The existing roadways have a width of 30 feet. These roadways were likely constructed in the early 50's. The proposed project will consist of the following:

- 1) With this project we will remove the existing asphalt pavement, curb, indrives, and deficient sidewalk.
- 2) Replace with 4.5" of asphalt pavement and 6" aggregate base. The new curb & gutter would be constructed at 32 feet on 3rd Avenue and 30 feet on 7<sup>th</sup> Street due to limited ROW.
- 3) Storm sewer will be upgraded with the addition of catch basins and the repair/replacement of existing deteriorated structures.
- 4) Existing sanitary sewer mains (30" on 7<sup>th</sup> St. and 8" on 3<sup>rd</sup> Ave.) will be lined to eliminate roots & infiltration.
- 5) Repair or replacement will be made to deficient sanitary manholes.

- 6) Provide ADA ramps at intersections and upgrade existing sidewalk.

The estimated construction costs are as follows:

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|--|-----------|
| 7 <sup>th</sup> Street NE & 3 <sup>rd</sup> Ave NE | \$350,000 |
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The total estimated costs would be funded as follows:

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|------------------|-----------|
| Assessment Bonds | \$250,000 |
| WWTP Fund 61     | \$ 75,000 |
| SWUD Fund 67     | \$ 25,000 |

Abutting property owners would be assessed based on the City's assessment policy.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution receiving feasibility report and calling a hearing for February 18, 2014 for street improvement on 7<sup>th</sup> Street NE (2<sup>nd</sup> Avenue to 4<sup>th</sup> Avenue) and 3<sup>rd</sup> Avenue NE (7<sup>th</sup> Street to 8<sup>th</sup> Street), Project 4-A-14. Carried 7-0.

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 1012 2<sup>nd</sup> Avenue NE, Breeze 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 11<sup>th</sup> Avenue NW, Wylie/Cenobio 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 1004 11<sup>th</sup> Avenue SW, Shawback Property. Carried.

Community Development Director Craig Hoium presented on two hazardous structures as designated by the City Council that are scheduled for demolition. The properties are located at 206 4<sup>th</sup> Street SE and 905 17<sup>th</sup> Avenue NE. The lowest bid for the demolition work for both structures was from Hansen Hauling & Excavating. Mr. Hoium recommended Hansen Hauling & Excavating to complete the demolition work.

Moved by Council Member Enright, seconded by Council Member Austin, adopting a resolution authorizing disbursement of funds for the demolition of substandard structures located at 206 4<sup>th</sup> Street SE and 905 17<sup>th</sup> Avenue NE. Carried 7-0.

Parks and Recreation Director Kim Underwood received a donation from Austin Youth Soccer in the amount of \$1,000 for grass seed for the soccer fields and requested Council approval to receive that donation.

Moved by Council Member Boughton, seconded by Council Member-at-Large Anderson, adopting a resolution accepting donation to Parks and Recreation Department. Carried 7-0.

Public Works Director Steven Lang presented on the proposed ICM agreement with G&R Truck Wash. A previous agreement with similar terms was entered into in June 2013 as a six month agreement. G&R has been compliant with the agreement and has also met all other City



requirements during this time; therefore it is recommended that the ICM agreement be extended through December 31, 2015.

Moved by Council Member Boughton, seconded by Council Member Austin, adopting a resolution approving an ICM agreement with G&R Truck Wash through December 31, 2015. Carried 7-0.

Director of Public Works Steven Lang requested Council approval of EDA Grant Amendment to financial assistance award, No. 3. The EDA modified specific language in regard to requirements met with the Minnesota State Historic Preservation Officer.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution authorizing the execution of EDA Grant Amendment to financial assistance award, No. 3. Carried 7-0.

City Clerk Ann Kasel requested the Council authorize the transfer of an off-sale liquor license from CAS Enterprise – Venture, VIII, LLC dba Cheers Liquor to Ras Enterprise, LLC dba Cheers Liquor. Ras Enterprise, LLC has passed the background check and met all of the licensing requirements for the off-sale license.

Moved by Council Member Austin, seconded by Council Member Enright, granting a transfer of off-sale liquor license from CAS Enterprise – Venture, VIII, LLC dba Cheers Liquor to Ras Enterprise, LLC dba Cheers Liquor. Carried 7-0.

## REPORTS

Council Member-at-Large Anderson wished everyone a Happy New Year. She also is continuing to work on the Paint the Town Pink event and there will be specifics coming soon.

Library Director Ann Hokanson noted there are spaces left in the healthy eating classes at the Library in January. To register please call the library.

Moved by Council Member Austin, seconded by Council Member King, adjourning the meeting to January 21, 2014. Carried.

Adjourned: 5:57 pm

Approved: January 21, 2014

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

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