

M I N U T E S  
CITY COUNCIL MEETING  
June 16, 2014  
5:30 PM  
Council Chambers

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

MEMBERS ABSENT: Council Member Enright

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

OTHERS PRESENT: Marv Repinksi, Austin Daily Herald, Public

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

Added to the agenda:

5. Consent Agenda:

Temporary Food, Accentra Credit Union, Children's Miracle Network Fundraiser, 400 4<sup>th</sup> Avenue NE, July 2 & 3<sup>rd</sup>, August 28<sup>th</sup> & 29<sup>th</sup>, 2014  
Food Transfer: Maya's Taqueria & Restaurante, Inc. (new owner)  
Temporary Liquor, Austin Jaycees, July 3, 2014 at Holiday Inn  
Temporary Liquor, Austin Jaycees, July 4, 2014 at Bandshell Park

Additional Backup

23. Approving an Individual Control Mechanism agreement with Bellisio Foods, Inc.

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

Mayor Stiehm noted the meeting was the first one where the Council was paperless and on electronic devices.

Moved by Council Member-at-Large Anderson, seconded by Council Member Carolan, approving the minutes of June 2, 2014. Carried.

## CITIZENS ADDRESSING THE COUNCIL

Firefighter Jim Halsey addressed the Council requesting permission for the Fire Department to hold their annual Muscular Dystrophy Association Fill the Boot Fundraiser on August 13-15, 2014.

Moved by Council Member Boughton, seconded by Council Member King, allowing the Fire Department to hold their annual Muscular Dystrophy Association Fill the Boot Fundraiser on August 13-15, 2014. Carried.

## CONSENT AGENDA

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

### Licenses:

Exempt Gambling-Raffle: Marcusen Park Baseball Association, September 1, 2014

Food Mobile: Sunny's Ice Cream, 1001 4<sup>th</sup> Avenue NE

Temporary 3.2 Beer: Austin Area Chamber of Commerce, July 15, 2014, Plager Building Mower County Fairgrounds

Temporary 3.2 Beer: Austin Jaycees, June 21-22, 2014, Todd park

Temporary Liquor, Spruce Up Austin, June 19, 2014, 904 1<sup>st</sup> Avenue SW

Temporary Food, Accentra Credit Union, Children's Miracle Network Fundraiser, 400 4<sup>th</sup> Avenue NE, July 2 & 3<sup>rd</sup>, August 28<sup>th</sup> & 29<sup>th</sup>, 2014

Food Transfer: Maya's Taqueria & Restaurante, Inc. (new owner)

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### Claims:

- a. Pre-list of bills
- b. Investment and Financial Report.
- c. Melissa Retterath, 1906 3<sup>rd</sup> Avenue SW. This claim was forwarded to the City Attorney to protect the City's interest.

Carried.

## BID OPENINGS AND AWARDS:

The City received bids for asbestos abatement at the structure located at 1600 6<sup>th</sup> Street SW including removal of windows and floor tile. The bids received were as follows:

<b>Bidder</b>	<b>Amount</b>
Safe Air Systems	\$5,100
MAVO Systems	\$6,800
Asbestrol	No Bid
Engineer's Estimate	\$9,000

Public Works Director Steven Lang stated the project would be funded 50% with DNR grant and 50% through LOST funds and recommended awarding the bid to Safe Air Systems.

Mayor Stiehm asked what the timeline on the project was.

Mr. Lang stated the abatement would take place the week of June 23<sup>rd</sup>.

Moved by Council Member Austin, seconded by Council Member Boughton, adopting a resolution awarding the bid for asbestos abatement at 1600 6<sup>th</sup> Street SW to Safe Air Systems. Carried 6-0.

The City received bids for demolition of buildings located at 1600 6<sup>th</sup> Street SW and 1204 15<sup>th</sup> Avenue SW. The bids received were as follows:

<b>Bidder</b>	<b>Amount</b>
Wallace Bustad Excavating Service	\$52,900
Engineer's Estimate	\$58,000

Public Works Director Steven Lang stated the project would begin on July 1, 2014 and would be funded 50% with DNR grant and 50% through LOST funds. He recommended awarding the bid to Wallace Bustad Excavation Service.

Mayor Stiehm asked about the other items on the property.

Mr. Lang replied it is the property owner's responsibility to remove all of the items and make the site ready for demolition.

Moved by Council Member King, seconded by Council Member Boughton, adopting a resolution awarding the bid for demolition of buildings located at 1600 6<sup>th</sup> Street SW and 1204 15<sup>th</sup> Avenue SW to Wallace Bustad Excavating Service. Carried 6-0.

The City received bids for the Public Works wash bay addition. The bids received were as follows:

<b>Contractor</b>	<b>Base Bid</b>	<b>Alternate # 1</b>	<b>Total</b>
The Joseph Company, Inc.	\$373,000	\$29,000	\$402,000
JD Driver, LTD	\$379,000	\$28,000	\$407,000
Wapasha Construction Co, Inc.	\$405,000	\$16,500	\$421,500
Larson Contracting Center, LLC	\$442,400	\$28,930	\$471,330
Engineer's Estimate	\$300,000	\$20,000	\$320,000

The wash bay was originally planned as part of central garage project but has been held over for multiple years due to financial constraints. Mr. Lang noted the project came in over the engineer's estimate. In order to fund the project he recommended using funds in the amount of \$125,000 from the proposed cold storage addition scheduled for 2015. Mr. Lang felt a wash bay

is more important than cold storage building for preservation of the life of the City's fleet of vehicles. Mr. Lang recommended awarding the bid to The Joseph Company, Inc.

Moved by Council Member-at-Large Anderson, seconded by Council Member Boughton, adopting a resolution awarding the bid for the Public Works Wash Bay addition to The Joseph Company, Inc. Carried 6-0.

#### PETITIONS AND REQUESTS:

Director of Administrative Services Tom Dankert stated at the June 2, 2014 work session the Council received a full report on the 2013 financial year from CliftonLarsonAllen. The City is in excellent financial shape and the audit did not reveal any abnormalities.

Mayor Stiehm thanked Mr. Dankert and his staff for their work keeping the City in an excellent financial position.

Moved by Council Member Austin, seconded by Council Member King, approving the 2013 audit report. Carried.

Library Director Ann Hokanson noted Librarian Gayle Heimer is planning on retiring in the next year and currently holds two important librarian positions for the City. It would be a hardship to replace Ms. Heimer with one person and Ms. Hokanson asked the Council to add a librarian at this time to plan for the transition.

Mayor Stiehm noted that Ms. Hokanson was the first Department Head to step forward when the City had to make cuts so when she requests additional staff the Council takes it seriously.

Moved by Council Member Boughton, seconded by Council Member-at-Large Anderson, authorizing hiring an additional professional librarian position in 2014 prior to the retirement of the current librarian. Carried.

Director of Public Works Steven Lang requested the Council approve the restructuring of the current Community Development Director with the creation of a new Department Head position of the Planning and Zoning Administrator, assigning the Building Official duties to Ron Ripley and shifting the community development duties to the City Administrator position. The job duties were reviewed by Council at the June 2, 2014 work session. Mr. Lang noted that his memo stated the Building Official duties would be effective immediately but the transfer of those duties needs to be approved by the State. Therefore, the Building Official position would be implemented once State approval is received.

Moved by Council Member King, seconded by Council Member Austin, authorizing the restructuring of the current Community Development Director position by creating a Planning and Zoning Administrator department head position, creating a Building Official position and shifting the Community Development duties to the City Administrator position. Carried.

Director of Administrative Services Tom Dankert requested the City Council approve the city administrator job description, position profile and salary. The materials were reviewed in detail at the June 2, 2014 work session. Upon approval, applications for the city administrator position would be accepted until July 21, 2014.

Moved by Council Member Boughton, seconded by Council Member Austin, approving the City Administrator job description. Carried.

Moved by Council Member-at-Large Anderson, seconded by Council Member King, approving the City Administrator Position Profile and salary. Carried.

Director of Administrative Services Tom Dankert presented on the proposed ordinance granting a cable television franchise to Jaguar Communications, Inc., which provides cable service to the new annexed Lansing Township area. The agreement would provide of a payment of 5% of Jaguar's gross revenues and would expire on December 19, 2014. It is very similar to the agreement in place with Charter Communications that also expires on December 19, 2014.

Moved by Council Member Austin, seconded by Council Member King, for preparation of the ordinance. Carried.

Moved by Council Member Austin, seconded by Council Member King, for adoption and publication of the ordinance. Carried 6-0.

Moved by Council Member Austin, seconded by Council Member King, approving summary publication of the ordinance. Carried.

The next ordinances are new or modified ordinances in connection with the update of the City of Austin Charter. City Attorney David Hoversten stated upon the modification of the City Charter some items were removed and needed to be placed in ordinance form.

Moved by Council Member Austin, seconded by Council Member King, for preparation of the ordinance in regard to Library-Prohibited Acts. Carried.

Moved by Council Member Austin, seconded by Council Member King, for adoption and publication of the ordinance. Carried 6-0.

Moved by Council Member Austin, seconded by Council Member King, for preparation of an ordinance in regard to Utility Easements and Right-of Ways. Carried.

Moved by Council Member Austin, seconded by Council Member King, for adoption and publication of the ordinance. Carried 6-0.

Moved by Council Member Austin, seconded by Council Member King, for preparation of an ordinance in regard to Vacation of Public Right-of-Ways and Public Grounds. Carried.

Moved by Council Member Austin, seconded by Council Member King, for adoption and publication of the ordinance. Carried 6-0.

Moved by Council Member Austin, seconded by Council Member King, for preparation of an ordinance in regard to Regular Council Meetings. Carried.

Moved by Council Member Austin, seconded by Council Member King, for adoption and publication of the ordinance. Carried 6-0.

Moved by Council Member Austin, seconded by Council Member King, for preparation of an ordinance in regard to Special Assessment Procedures. Carried.

Moved by Council Member Austin, seconded by Council Member King, for adoption and publication of the ordinance. Carried 6-0.

Moved by Council Member Austin, seconded by Council Member King, for preparation of an ordinance in regard to Obstruction of Streets by Railroads. Carried.

Moved by Council Member Austin, seconded by Council Member King, for adoption and publication of the ordinance. Carried 6-0.

A resolution was presented to grant a 3.2 beer on-sale license to Marcusen Park Baseball Association.

Council Member Boughton asked if the City would be responsible for accident or injury on the property since Marcusen Park is owned by the City.

City Attorney David Hoversten stated that the City would be an named insured on the liability insurance and the liquor insurance and therefore would not have any liability.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution granting a 3.2 Beer on-sale license to Marcusen Park Baseball Association. Carried 6-0.

Moved by Council Member-at-Large Anderson, seconded by Council Member Carolan, adopting a resolution accepting gifts to the City of Austin. Carried 6-0.

HRA Director Jon Erichson requested the Council accept a \$497,200 grant from the Small Cities Development Program. The grant would be used to rehabilitate owner-occupied homes in the South Crane neighborhood, which is east of the Hormel Plant. The grant is for homes whose owners are low to moderate income and up to 95% of the grant can be forgiven if the property owner maintains it as a primary residence for 7 years. The work would be completed in 2014 and 2015.

Marv Repinski noted there are grants available if they are sought out and encouraged the City to continue to apply for them.

Council Member Boughton thanked Mr. Erichson for a job well done.

Council Member-at-Large Anderson asked Mr. Erichson to explain how much each property owner could receive in a grant and what improvements would qualify.

Mr. Erichson stated each property could receive up to \$22,500. The grants could be used for property rehabilitation such as a new roof, siding, windows, possibly for accessing sewer services and for accessibility issues. He noted the Hormel Foundation provided a \$50,000 grant to make the application be more competitive and the HRA allocated an additional \$100,000 to the project for additional loans.

Moved by Council Member Boughton, seconded by Council Member-at-Large Anderson, adopting a resolution accepting a 2014 Small Cities Development Grant in the amount of \$497,200. Carried 6-0.

Director of Public Works Steven Lang requested the Council approve a one month extension to the current individual control mechanism agreement (ICM) with Bellisio Foods, Inc. Bellisio Foods started up about a year ago and signed an ICM at that time. Mr. Lang has been working with them over the last month on a new agreement but they need a little more time to evaluate their needs for the future. Therefore, the one month extension is requested with plans to bring back a two year plan to a work session in July.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution approving an Individual Control Mechanism (ICM) agreement with Bellisio Foods, Inc. Carried 6-0.

Director of Public Works Steven Lang requested proposals from engineering firms for the following consulting services for the MS4 Stormwater Permit update: ordinance review & rewrite, enforcement response procedures, illicit discharge, construction site stormwater runoff, pollution prevention & housekeeping, and website updates.

The City of Austin received proposals from the following engineering firms:

- |                                     |                                    |
|-------------------------------------|------------------------------------|
| • Wenck Associates, Inc.            | \$18,746.68 w/ options \$20,028.60 |
| • Forth Env. & Infrastructure, LLC. | \$25,000                           |
| • Bolton & Menk                     | \$26,600                           |

Mr. Lang recommended extending the contract to Wenck Associates, Inc

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution approving contract with Wenck Associates, Inc. to assist with MS4 stormwater permit compliance. Carried 6-0.

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 2002 3<sup>rd</sup> Avenue NE, Armstrong 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 1111 3<sup>rd</sup> Avenue SE, Mullenbach 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 1508 8<sup>th</sup> Street SE, Sucha & Welke 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 510 8<sup>th</sup> Avenue SW, Nielson property. Carried.

Moved by Council Member Boughton, 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 4200 4<sup>th</sup> Drive SE, Rouse property. Carried.

## REPORTS

Council Member-at-Large Anderson commended the HRA on receiving the Small Cities Development Grant. She also noted that the Sustainability Task Force will meet on Thursday at 7:30 a.m. in the City Hall conference room.

Public Works Director Steven Lang stated the new sign employee started and will be working to catch up on signs, road striping and painting cross walks prior to school starting.

Moved by Council Member Austin, seconded by Council Member King, adjourning the meeting to July 7, 2014. Carried.

Adjourned: 6:01 pm

Approved: July 7, 2014

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

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