M I N U T E S
CITY COUNCIL MEETING
February 2, 2015
5:30 PM
Council Chambers

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

MEMBERS ABSENT:

STAFF PRESENT: City Administrator Craig Clark, Director of Administrative Services Tom Dankert, Public Works Director Steven Lang, City Attorney David Hoversten, Police Chief Brian Krueger, Planning and Zoning Administrator Holly Wallace, Park and Rec Director Kim Underwood and City Clerk Ann Kasel

OTHERS PRESENT: Charlie Fawver, Ryan Baldus, Austin Daily Herald, Post Bulletin, Public

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

Added to the agenda:

5. Consent Agenda: Cigarette (Transfer): Romlyn Liquor dba Apollo Liquors to RJB Liquors of Austin, Inc. dba Apollo Liquor.

(res) 23. Approving the transfer of an off-sale liquor license from Romlyn Liquor dba Apollo Liquors to RJB Liquors of Austin, Inc. dba Apollo Liquor.

Additional backup:

21. Approving modified ICM agreements with Hormel Foods.
    a. Approving modified ICM agreement for the domestic plant.
    b. Approving modified ICM agreement for the industrial plant.

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

Moved by Council Member Enright, seconded by Council Member King, approving the minutes of January 20, 2015. Carried.

CONSENT AGENDA

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

Licenses:

Cab Driver: Amde Melge, 203 31st Street SW
Cab Owner: Lammi Taxi and Car Services, LLC, 308 4th Avenue NW
Cigarette: Bell Liquor, 200 S. Main Street
Cigarette (Transfer): Romlyn Liquor dba Apollo Liquors to RJB Liquors of Austin, Inc. dba Apollo Liquor.
Cigarette (Transfer): Freedom Value Center # 5, 141 4th Street NW *
Food (Transfer): Freedom Valu Center #5, 141 4th Street NW *
Gas Station (Transfer): Freedom Valu Center #5, 141 4th Street NW *
Exempt Gambling (Raffle): United Catholic Schools Foundation at the Corcoran Center on April 25, 2015
Food: Austin Park and Rec at Todd Park – North Diamonds
Food: Austin Park and Rec at Todd Park – South Diamonds
Food: Austin Park and Rec at the Municipal Pool
Temporary Liquor: Pacelli Catholic Schools, at the Corcoran Center on April 25, 2015
*Transfer due to change in corporate ownership.

Claims:

a. Pre-list of bills
b. Credit Card Report.

Carried.

PUBLIC HEARINGS

A public hearing was held regarding the rezoning of the lots located at 1704 8th Street NE and the 1000 block of 16th Avenue NE from "R-1" single family residential to "R-O" multi-family office. Planning and Zoning Administrator Holly Wallace stated this parcel, which is owned by Leaning Tree, LLC, is proposed to be rezoned for a proposed redevelopment in conjunction with the Hormel Institute expansion. The matter was reviewed by the Planning Commission on January 13, 2015 and approval was recommended by a 7-0 vote.

Moved by Council Member-at-Large Anderson, seconded by Council Member Hagen, for preparation of the ordinance. Carried.

Moved by Council Member Enright, seconded by Council Member King, for adoption and publication of the ordinance. Carried 7-0.

A public hearing was held regarding the rezoning of the property located in the 900-1000 blocks of 15th Avenue NE, 16th Avenue NE and 17th Avenue NE from "R-1" single family residential to "R-O" multi-family office. Planning and Zoning Administrator Holly Wallace stated the area was previously rezoned but there was an error in in legal description therefore a corrective ordinance will need to be adopted.

Moved by Council Member King, seconded by Council Member-at-Large Anderson, for preparation of the ordinance. Carried.

Moved by Council Member King, seconded by Council Member Jordal, for adoption and publication of the ordinance. Carried 7-0.

PETITIONS AND REQUESTS:

Director of Administrative Services Tom Dankert requested the Council's approval for issuing debt on behalf of Austin Utilities for their new facility.

Moved by Council Member Austin, seconded by Council Member King, approving the issuance of debt on behalf of Austin Utilities for the Austin Utilities' new facility. Carried.

Mr. Dankert also requested the Council pass a reimbursement resolution on behalf of Austin Utilities so they can be paid back for any monies expended prior to the debt issuance.

Moved by Council Member Hagen, seconded by Council Member King, adopting a reimbursement resolution relating to the financing of the Austin Utilities' new facility. Carried 7-0.

Mr. Dankert requested the Council pass a resolution authorizing an increase of the amount that Austin Utilities pays to the City instead of taxes. This is known as the Payment in Lieu of Taxes or PILOT. The increase in rates per unit of electricity, water and gas are due to the increased utility rates for the new facility and would offset the higher utility rates billed to the City.

Moved by Council Member Austin, seconded by Council Member Jordal, adopting a resolution approving an increase to the Payment in Lieu of Taxes from Austin Utilities. Carried 7-0.

Austin Utilities General Manager Mark Nibaur requested the City sign a modification to the Utilities' current power sales contract with Southern Minnesota Municipal Power Agency. The proposed contract puts a ceiling on the power that the Utilities can purchase from SMMPA thereby allowing the Utilities to purchase additional power on the open market instead of buying it all from SMMPA. The power sales contract is required to be signed by the City because it is a long term contract. The matter was previously approved by the Austin Utility board.

Moved by Council Member King, seconded by Council Member Enright, adopting a resolution authorizing an amendment to Austin Utilities' power sales contract with the Southern Minnesota Municipal Power Agency (SMMPA). Carried 7-0.

Moved by Council Member-at-Large Anderson, seconded by Council Member King, adopting a resolution accepting donations to the City of Austin. Carried 7-0.

Planning and Zoning Administrator Holly Wallace requested the Council approve a minor subdivision on behalf of Charlie Fawver. The split of property would allow part of the property to be added to adjacent parcels and the remainder would be part of a flood mitigation project. Ms. Wallace requested the subdivision be subject to existing easements with Austin Utilities.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution approving a minor subdivision of property in Sun Valley Third Addition as requested by Charlie Fawver. Carried 7-0.

Director of Administrative Services Tom Dankert requested the Council reappoint Kris Heichel and Steve Leif to the Homeownership board with terms expiring on December 31, 2017.

Moved by Council Member Austin, seconded by Council Member Carolan, reappointing Kris Heichel to the Austin/Mower County Homeownership board term expiring 12/31/2017. Carried.

Moved by Council Member-at-Large Anderson, seconded by Council Member King, reappointing Steve Leif to the Austin/Mower County Homeownership board term expiring 12/31/2017. Carried.

Public Works Director Steven Lang requested the Council authorize the placement of deed restrictions on seven recent flood property acquisitions to be in compliance with the Minnesota Department of Natural Resources grant which was used to fund the purchase of the properties.

Moved by Council Member Enright, seconded by Council Member Jordal, adopting a resolution approving flood property deed restrictions. Carried 7-0.

Moved by Council Member King, seconded by Council Member Carolan, appointing Laura Ramirez to the Police Civil Service Commission term expiring December 31, 2015. Carried.

Moved by Council Member-at-Large Anderson, seconded by Council Member King, adopting a resolution appointing Jason Baskin to the Sustainability Task Force term expiring December 31, 2016. Carried.

City Administrator Craig Clark on behalf of Jim McCoy requested the Council approve architectural services and construction inspection services with Paul Johnson Architects for the Fire Station roof repairs.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution approving a contract for Fire Station roof repairs with Paul Johnson Architects. Carried 7-0.

City Clerk Ann Kasel requested the Council approve a wine/strong beer on-sale license and Sunday on-sale wine license for MUY Pizza Minnesota, LLC which will do business as Pizza Hut.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution approving a wine/strong beer on-sale and Sunday on-sale wine license for MUY Pizza Minnesota, LLC dba Pizza Hut #31221. Carried 7-0.

Public Works Director Steven Lang requested the Council approve modified ICM agreements with Hormel Foods for the Industrial and Domestic plants. ICM agreements for both plants were entered into in December of 2014 but one of the meters that reads the flow needs to be recalibrated. Once that recalibration takes place the levels will be higher than the current agreements allow for, therefore, new agreements are needed.

Moved by Council Member King, seconded by Council Member Enright, adopting a resolution approving a modified ICM agreement with Hormel Foods for the domestic plant. Carried 7-0.

Moved by Council Member-at-Large Anderson, seconded by Council Member Austin, adopting a resolution approving a modified ICM agreement with Hormel Foods for the industrial plant. Carried 7-0.

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 900 8th Avenue NE, Ernst 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 401 8th Street NE, Skattebo 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 1203 9th Street NE, Graff 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 507 12th Street NE, Inboua Property. Carried.

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 1105 10th Avenue NW, Arens 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 405 5th Street NW, Torkelson Property. Carried.

Moved by Council Member Austin, 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 611 14th Street NW, Hebl 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 815 10th Avenue SE, Hemann Property. Carried.

Moved by Council Member Austin, seconded by Council Member Enright, approving the transfer of an off-sale liquor license from Romlyn Liquor dba Apollo Liquors to RJB Liquors of Austin, Inc. dba Apollo Liquor. Carried 7-0.

REPORTS

Council Member Jordal reported he attended a community advisory board meeting where research is being done on a new calendar for the schools.

Council Member-at-Large Anderson encouraged citizens to check out all the events for Paint the Town Pink on the Hormel Institute website. A link is also posted on the City website.

She also reported she attended the Coalition's legislative action day in St. Paul and had meetings with the City's legislative representatives.

Council Member Enright noted she attended the Southeast Minnesota League of Municipalities meeting in Rochester where legislative policy positions were discussed.

Also, the Beyond the Yellow Ribbon committee is in need of members. It meets on the third Wednesday of the month at noon in City Hall and do a number of fundraising events to support soldiers and families.

She also noted that her team, the Dutchtown Jumpers, raised $10,100 in the Plunging for Pink event in East Side Lake and received the $5,000 match from Agstar. That increased their total amount raised to $15,100.

City Administrator Craig Clark noted he attended legislative action day in St. Paul on January 28th.

Mayor Stiehm noted he also jumped in East Side Lake for Plunging for Pink.

The Mayor allowed the following comment out of order:

Donna Ruther requested the Council's support of medical marijuana.

Moved by Council Member Austin, seconded by Council Member King, adjourning the meeting to February 17, 2015. Carried.

Adjourned: 6:04 pm

Approved: February 17, 2015

Mayor: _____

City Recorder: _____