

M I N U T E S  
CITY COUNCIL MEETING  
February 21, 2017  
5:30 PM  
Council Chambers

MEMBERS PRESENT: Mayor Stiehm. Council Members Jeff Austin, Judy Enright, Steve King, David Hagen, Laura Helle, Paul Fischer 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, Assistant City Engineer Mitch Wenum, Fire Chief Jim McCoy, City Attorney David Hoversten, Police Chief Brian Krueger, Park and Rec Director Kim Underwood, Planning and Zoning Administrator Holly Wallace and City Clerk Ann Kasel

OTHERS PRESENT: KAUS Radio, Austin Daily Herald, Matira Balsley, Public

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

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

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, approving the Council minutes from February 6, 2017. Carried.

CONSENT AGENDA

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

Licenses:

Cab Driver: Robert Morgan, 1309 10<sup>th</sup> Avenue NW

Food: Austin Dairy Queen: 1200 W. Oakland Avenue

Tree Service: Strom Tree Service, 606 5<sup>th</sup> Avenue SE, Little Falls

Claims:

- a. Pre-list of bills.
- b. Financial and Investment reports.
- c. Jane A. Corkill. The matter was forwarded to the City Attorney to protect the City's interest.

Event Applications:  
Shamrockin 5K Run on April 1, 2017

Carried.

**BIDS AND AWARDS:**

The City received the following bids for bituminous materials:

Bidder	Base Bid	Mileage	Total
Ulland Bros, Inc.	\$207,000	\$35,640	\$242,640
Rochester Sand & Gravel	\$218,250	\$49,320	\$267,570

Public Works Director Steven Lang recommended awarding the contract to Ulland Bros, Inc.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution awarding the bid for bituminous materials to Ulland Brothers, Inc. Carried 7-0.

**PUBLIC HEARINGS:**

Public Works Director Steven Lang provided information about the proposed street projects. He stated the City sent out 280 notices and held an information meeting on February 15<sup>th</sup> where residents were given the opportunity receive information about the projects and ask questions.

A public hearing was held for street improvements on 4<sup>th</sup> Avenue NW (4<sup>th</sup> Street NW to 12<sup>th</sup> Street NW), Project 17101. Assistant City Engineer Mitch Wenum stated the City will remove the existing road and curb & gutter and replace with a widened 45 foot street and add on-street bike lanes to both sides of the street. Underground utilities will be repaired or replaced. Adjacent property owners will be assessed per the City's street assessment policy at an interest rate of 4.5%. Property owners will have the option to pay the assessment in full, pay 50% of the assessment and have the remainder go on their real estate taxes or have all of the assessment go on their real estate taxes. The total project is \$2,125,000 and \$147,970 will be assessed to adjacent property owners.

Council Member Enright asked when property owners would need to apply for a deferral if they qualify.

Director of Administrative Services Tom Dankert stated the deferral needs to be applied for within 90 days from the date of assessment, which would be adopted at the March 20<sup>th</sup> assessment hearings. He noted the senior deferral option includes interest at 4.5% until the property is sold.

Mayor Stiehm asked how many trees will be taken out on the project.

Mr. Wenum state there will be approximately 18 trees removed for the project and they will not be replanted because of the small boulevard size.

There were no public comments.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution ordering improvement, approving plans and specifications, and ordering advertisement for bids on 4<sup>th</sup> Avenue NW (4<sup>th</sup> Street NW to 12<sup>th</sup> Street NW), Project 17101. Carried 7-0.

A public hearing was held for street improvements on 1<sup>st</sup> Street SW (1<sup>st</sup> Avenue to Dead End), 2<sup>nd</sup> Street SW (1<sup>st</sup> Avenue to 4<sup>th</sup> Avenue SW), 3<sup>rd</sup> Street SW (4<sup>th</sup> Avenue to 5<sup>th</sup> Avenue SW), 4<sup>th</sup> Avenue SW (2<sup>nd</sup> Street to 4<sup>th</sup> Street SW) and 5<sup>th</sup> Avenue SW (3<sup>rd</sup> Street to 4<sup>th</sup> Street SW), Project 17102. Assistant City Engineer Mitch Wenum stated the City will remove the existing road and curb & gutter and replace the roads at their existing width or wider. Underground utilities will be repaired or replaced. Adjacent property owners will be assessed per the City's street assessment policy at an interest rate of 4.5%. Property owners will have the option to pay the assessment in full, pay 50% of the assessment and have the remainder go on their real estate taxes or have all of the assessment go on their real estate taxes. The total project estimate is \$910,000 with \$222,550 being assessed to adjacent property owners.

Matira Balsley 501 1<sup>st</sup> Street SW, felt her block is in good condition and doesn't need to be replaced. She thought the street was reconstructed in 2000.

Mr. Lang stated there was work done in that area around that time but it was not a street reconstruction and property owners were not assessed for any portion of the project. He added that the sanitary sewer and other infrastructure needs to be replaced and the street needs to be torn up in order to do so.

Another resident on 3<sup>rd</sup> Street SW was concerned about the trees being removed on the project and felt it was a lot of money for the assessment.

Mayor Stiehm stated he empathized with the citizens' concerns about the cost of the project but the infrastructure needs to be replaced and a new road is part of that process.

Council Enright stated the City also widens the streets to make additional room for the snow removal equipment.

There were no other public comments.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution ordering improvement, approving plans and specifications, and ordering advertisement for bids on project 1<sup>st</sup> Street SW (1<sup>st</sup> Avenue to Dead End), 2<sup>nd</sup> Street SW (1<sup>st</sup> Avenue to 4<sup>th</sup> Avenue SW), 3<sup>rd</sup> Street SW (4<sup>th</sup> Avenue to 5<sup>th</sup> Avenue SW), 4<sup>th</sup> Avenue SW (2<sup>nd</sup> Street to 4<sup>th</sup> Street SW) and 5<sup>th</sup> Avenue SW (3<sup>rd</sup> Street to 4<sup>th</sup> Street SW), Project 17102. Carried 7-0.

A public hearing was held for street improvements on 6<sup>th</sup> Street SE (12<sup>th</sup> Avenue to 16<sup>th</sup> Avenue SE), and 16<sup>th</sup> Avenue SE (6<sup>th</sup> Street to 8<sup>th</sup> Drive SE), Project 17103. Assistant City Engineer Mitch Wenum stated the City will remove the existing road and curb & gutter and replace the

roads at their existing width. Underground utilities will be repaired or replaced. Adjacent property owners will be assessed per the City's street assessment policy at an interest rate of 4.5%. Property owners will have the option to pay the assessment in full, pay 50% of the assessment and have the remainder go on their real estate taxes or have all of the assessment go on their real estate taxes. The project is estimated at \$800,000 and \$157,730 will be assessed to adjacent property owners.

There were no public comments.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution ordering improvement, approving plans and specifications, and ordering advertisement for bids on 6<sup>th</sup> Street SE (12<sup>th</sup> Avenue to 16<sup>th</sup> Avenue SE), and 16<sup>th</sup> Avenue SE (6<sup>th</sup> Street to 8<sup>th</sup> Drive SE), Project 17103. Carried 7-0.

A public hearing was held for street improvement on 5<sup>th</sup> Avenue NW (8<sup>th</sup> Street to 11<sup>th</sup> Street NW), 6<sup>th</sup> Avenue NW (8<sup>th</sup> Street to 11<sup>th</sup> Street NW) and 7<sup>th</sup> Avenue NW (8<sup>th</sup> Street to 11<sup>th</sup> Street NW), Project 17104. Assistant City Engineer Mitch Wenum stated the City will remove the existing road and curb & gutter and replace the roads at their existing width. Underground utilities will be repaired or replaced. Adjacent property owners will be assessed per the City's street assessment policy at an interest rate of 4.5%. Property owners will have the option to pay the assessment in full, pay 50% of the assessment and have the remainder go on their real estate taxes or have all of the assessment go on their real estate taxes. The total project estimate is \$900,000 with \$149,100 assessed to adjacent property owners.

There were no public comments.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution ordering improvement, approving plans and specifications, and ordering advertisement for bids 5<sup>th</sup> Avenue NW (8<sup>th</sup> Street to 11<sup>th</sup> Street NW), 6<sup>th</sup> Avenue NW (8<sup>th</sup> Street to 11<sup>th</sup> Street NW) and 7<sup>th</sup> Avenue NW (8<sup>th</sup> Street to 11<sup>th</sup> Street NW), Project 17104. Carried 7-0.

A public hearing was held for alley reconstruction between 3<sup>rd</sup> Avenue and 4<sup>th</sup> Avenue NE (9<sup>th</sup> Street to 10<sup>th</sup> Street NE), Project 17301. Assistant City Engineer Mitch Wenum stated the City will remove the existing alley and replace the roads at their existing width. Underground utilities will be repaired or replaced. Adjacent property owners will not be assessed because the City does not assess for alley improvements.

There were no public comments.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution ordering improvement, approving plans and specifications, and ordering advertisement for bids for alley reconstruction between 3<sup>rd</sup> Avenue and 4<sup>th</sup> Avenue NE (9<sup>th</sup> Street to 10<sup>th</sup> Street NE), Project 17301. Carried 7-0.

PETITIONS AND REQUESTS:

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution setting public hearings for March 20, 2017 for street improvement assessments. Carried 7-0.

Director of Administrative Services Tom Dankert requested the Council amend the City's investment interest policy to reduce the minimum allocation from \$450,000 to \$300,000 due to low interest earnings through December 31, 2017.

Moved by Council Member-at-Large Anderson, seconded by Council Member Austin, adopting a resolution amending the investment interest policy for the allocation to the building fund. Carried 7-0.

Planning and Zoning Administrator Holly Wallace reviewed a request from Ulland Brothers, Inc. for an interim use permit for their gravel pit located in the SW section of town. There have been multiple periods of extraction at the pit over the years. The Planning Commission reviewed the matter at their February 14, 2017 meeting and recommended approval of the permit with 18 conditions for the permit. She recommended the Council allow the permit with the conditions as recommended by the Planning Commission. Also, a long term maintenance property plan would need to be executed by the property owner.

Moved by Council Member Enright, seconded by Council Member Austin, approving an interim use permit for Ulland Bros., Inc. subject to the 18 conditions as recommended by the Planning Commission. Carried.

Moved by Council Member-at-Large Anderson, seconded by Council Member Enright, resolving the City Council into the Sign Code Board of Appeals. Carried 7-0.

Planning and Zoning Administrator Holly Wallace reviewed a sign appeal submitted by the Mower County Recycling Center. The variance would be for four signs to be added to their new addition to direct the public as to where to deposit recyclable materials. The current City code limits the number of signs on exterior walls to two. The Planning Commission reviewed the matter at their February 14, 2017 meeting and recommended approval of the sign appeal on a 6-0 vote.

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, approving a sign appeal submitted by the Mower County Recycling Center. Carried.

Moved by Council Member Enright, seconded by Council Member Austin, resolving the Sign Code Board of Appeals back into the City Council. 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 908 11<sup>th</sup> Avenue SW, Skattebo Property. Carried.

Moved by Council Member Austin, seconded by Council Member Hagen, adjourning the meeting to March 6, 2017. Carried.

Adjourned: 6:27 p.m.

Approved: March 6, 2017

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

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