

M I N U T E S
CITY COUNCIL MEETING
March 20, 2017
5:30 PM
Council Chambers

MEMBERS PRESENT: Mayor Stiehm. Council Members Judy Enright, Steve King, Laura Helle, Paul Fischer and Council Member-at-Large Janet Anderson

MEMBERS ABSENT: Council Members Jeff Austin and David Hagen

STAFF PRESENT: City Administrator Craig Clark, Director of Administrative Services Tom Dankert, Public Works Director Steven Lang, Fire Chief Jim McCoy, City Attorney David Hoversten, Police Chief Brian Krueger, Park and Rec Director Kim Underwood, Planning and Zoning Administrator Holly Wallace, City Clerk Ann Kasel, Assistant City Engineer Mitch Wenum and Street Superintendent Joe Sunderman

OTHERS PRESENT: Carol Lantow, Terry Falch, Nikola Baumann, Dane Kane, KAUS Radio, Austin Daily Herald, Public

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

Mayor Stiehm removed item 14-Approving a transfer station lease agreement-from the agenda.

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

Moved by Council Member Enright, seconded by Council Member King, approving the Council minutes from March 6, 2017. Carried.

AWARDS AND RECOGNITIONS

Mayor Stiehm read a proclamation declaring April 28, 2017 Arbor Day and May 2017 Arbor Month. Park and Recreation Director Kim Underwood stated the City will be planting trees at the Nature Center in honor of the new building.

CONSENT AGENDA

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, approving the consent agenda as follows:

Licenses:

Cigarette (two transfers): Hy-Vee, 1307 18th Avenue NW

Excavation: Jordan Drilling Solutions, 1290 Eagle Point Dr., Eagan

Food: Austin Park and Recreation at the Municipal Pool, Todd Park North
Diamonds and Todd Park South Diamonds

Food (transfer): Hy-Vee, 1307 18th Avenue NW

Temporary Food: Accentra Credit Union on June 29 & 30 and August 24 & 25

Claims:

- a. Financial and Investment Report.
- b. Pre list of Bills.

PUBLIC HEARINGS:

A public hearing was held for street improvement assessments for 4th Avenue NW (4th St NW to 12th St NW), Project 17101. The amount to be assessed is \$147,970.49 at 4.5% for 15 years. Public Works Director Steven Lang stated the specific details of each project were presented at the February 20, 2017 improvement hearings and notices were mailed to each property owner with the exact assessment amount and payment options.

There were no comments and there were no written or oral objections.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution declaring the cost of Project 17101. Carried 5-0.

Moved by Council Member King, seconded by Council Member Enright, adopting resolution adopting the assessment roll for Project 17101. Carried 5-0.

A public hearing was held for street improvement assessments for 1st St SW (1st Ave to Dead End), 2nd St SW (1st Ave to 4th Ave SW), 3rd St SW (4th Ave to 5th Ave SW), 4th Ave SW (2nd St to 4th St SW) and 5th Ave SW – 3rd St to 4th St SW, Project 17102. The amount to be assessed is \$222,548.76 at 4.5% for 15 years. Public Works Director Steven Lang stated the specific details of each project were presented at the February 20, 2017 improvement hearings and notices were mailed to each property owner with the exact assessment amount and payment options.

There were no comments and there were no written or oral objections.

Moved by Council Member Enright, seconded by Council Member Fischer, adopting a resolution declaring the cost of Project 17102. Carried 5-0.

Moved by Council Member King, seconded by Council Member Enright, adopting resolution adopting the assessment roll for Project 17102. Carried 5-0.

A public hearing was held for street improvement assessments for 6th St SE (12th Ave to 16th Ave SE) and 16th Ave SE (6th St to 8th Dr SE), Project 17103. The amount to be assessed is \$150,784.75 at 4.5% for 15 years. Public Works Director Steven Lang stated the specific details of each project were presented at the February 20, 2017 improvement hearings and notices were mailed to each property owner with the exact assessment amount and payment options.

There were no additional comments and there were no written or oral objections.

Moved by Council Member Fischer, seconded by Council Member King, adopting a resolution declaring the cost of Project 17103. Carried 5-0.

Moved by Council Member King, seconded by Council Member Enright, adopting resolution adopting the assessment roll for Project 17103. Carried 5-0.

A public hearing was held for street improvement assessments for 5th Ave NW (8th St to 11th St NW), 6th Ave NW (8th St to 11th St NW) and 7th Ave NW (8th St to 11th St NW), Project 17104. The amount to be assessed is \$149,104.66 at 4.5% for 15 years. Public Works Director Steven Lang stated the specific details of each project were presented at the February 20, 2017 improvement hearings and notices were mailed to each property owner with the exact assessment amount and payment options.

Carol Lantow, 810 12th Avenue SW, filed a written objection to her assessment on the property located at 1109 5th Avenue NW. She felt the road did not need to be resurfaced and the property owners shouldn't have to pay for the project.

Mr. Lang stated the City sets assessment rates for each property owner and along with replacing the road the underground utilities and water main will also be replaced.

Council Member Helle noted she lives in the area and is also being assessed as part of the project. She stated the total project cost is over \$900,000 and the amount being assessed to property owners is approximately \$149,000.

Terry Falch, 601 9th Street NW, stated he would like stop signs placed on 6th Avenue NW.

Mr. Lang stated he would investigate the accident history of the intersection and report back to Council.

Moved by Council Member-at-Large Anderson, seconded by Council Member Enright, to adjourn and continue the hearing for the property located at 1109 5th Avenue NW owned by Carol Lantow, parcel identification number 34.795.3330. Carried.

There were no additional comments and there were no other written or oral objections.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution declaring the cost of Project 17104. Carried 5-0.

Moved by Council Member King, seconded by Council Member Fischer, adopting resolution adopting the assessment roll for Project 17104. Carried 5-0.

PETITIONS AND REQUESTS:

City Administrator Craig Clark requested the Council approve a resolution for the protection of pollinators in the City.

Moved by Council Member-at-Large Anderson, seconded by Council Member Enright, adopting a resolution promoting the reserve pollinator decline and restoration of pollinator health in Minnesota. Carried 5-0.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution accepting donations to the City of Austin. Carried 5-0.

City Clerk Ann Kasel request the Council approve a new hard liquor on-sale and Sunday on-sale license to Hy-Vee, Inc. dba Hy-Vee Market Grille and an off-sale license location change for Hy-Vee Wine & Spirits.

Moved by Council Member King, seconded by Council Member Fischer, adopting a resolution granting a hard liquor on-sale and Sunday on-sale license to Hy-Vee, Inc. dba Hy-Vee Market Grille. Carried 5-0.

Moved by Council Member King, seconded by Council Member-at-Large Anderson, adopting a resolution approving an off-sale license location change for Hy-Vee Wine & Spirits. Carried 5-0.

Public Works Director Steven Lang requested the Council approve final project costs on the Waste Water Treatment Plan Domestic Digester Rehabilitation project. The project was awarded to Wapasha Construction Company in March of 2015 in the original amount of \$2,296,374.24. The total budget for the project with engineering costs was \$3 million and the total final cost was \$2,930,746.75.

Moved by Council Member King, seconded by Council Member Enright, adopting a resolution approving final costs on the Waste Water Treatment Plan domestic digester rehab project. Carried 5-0.

Moved by Council Member Enright, seconded by Council Member King, resolving the City Council into the Board of Adjustments and Appeals. Carried.

Planning and Zoning Administrator Holly Wallace reviewed a request for an interim use permit from Nikola and Christoph Baumann. The Petitioners would like to house three or four horses on their property with additional temporary structures for shelter and storage. The property is currently zoned residential but is currently being farmed. The Planning Commission reviewed the matter at their March 14, 2017 meeting and recommended approval by a 5-1 vote with conditions.

Moved by Council Member King, seconded by Council Member Enright, approving a 5 year interim use permit requested by Nikola and Christoph Baumann. Carried.

Ms. Baumann noted she would plan on renewing the permit after 5 years.

Planning and Zoning Administrator Holly Wallace reviewed a fence appeal submitted by Hormel Foods for a 7 foot fence around the Annex at 1816 9th Street NE. There is not a guard shack at the

location and the Petitioner would like a higher fence than the 6 foot allowed by ordinance. The Planning Commission reviewed the matter at their March 14, 2017 meeting and recommended approval by a 6-0 vote.

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, reviewing a fence appeal submitted by Hormel Foods. Carried.

Moved by Council Member Enright, seconded by Council Member King, resolving the Board of Adjustments and Appeals back into the City Council. Carried.

Fire Chief Jim McCoy requested the Council accept Minnesota Board of Firefighter Training and Education Grants in the amount of \$960 for a hazardous materials class and \$340 for a chlorine response class. The grants would cover 80% of the class and the remaining 20% would be covered by the 2017 training budget.

Moved by Council Member King, seconded by Council Member Enright, adopting a resolution accepting a Minnesota Board of Firefighter Training and Education Grant. Carried 5-0.

Moved by Council Member Enright, seconded by Council Member Fischer, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 503 13th Street NW, Ruble property. Carried.

CITIZENS ADDRESSING THE COUNCIL

Dan Kane, 501 7th Avenue SE, expressed his concerns about the Human Rights Commission and their annual budget expenses. He also stated he was concerned about crime in his neighborhood.

REPORTS

Council Member-at-Large Anderson stated the HRA recently met and they are continuing to focus on housing issues in Austin.

Parks and Recreation Director Kim Underwood noted the Park and Rec Office has moved into City Hall located at 500 4th Avenue NE.

Moved by Council Member Enright, seconded by Council Member Fischer, adjourning the meeting to April 3, 2017. Carried.

Adjourned: 6:20 p.m.

Approved: April 3, 2017

Mayor: _____

City Recorder: _____