

M I N U T E S  
CITY COUNCIL MEETING  
June 5, 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, 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 Library Director Julie Clinefelter

OTHERS PRESENT: Jessica Cabeen, Jeanne Poppe, Sandy Forstner, Austin Daily Herald, KAUS Radio, Public

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

Added to the Consent Agenda:

Temporary Liquor: Marcusen Park Baseball Association at the Mower County Fairgrounds on July 8, 2017

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

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, approving the Council minutes from May 15, 2017 and May 16, 2017. Carried.

#### AWARDS, RECOGNITIONS AND REPORTS

Mayor Stiehm recognized Woodson Kindergarten Principal Jessica Cabeen for being given an award at the Minnesota National Distinguished Principal. Mrs. Cabeen thanked the Council for the recognition.

#### CONSENT AGENDA

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

Licenses:

Exempt Bingo: Austin Area Veterans Council on July 3 & 4, 2017  
 Food: 1910 Fresh Mexican Kitchen: 507 1<sup>st</sup> Street NW, Ste. 1  
 Food: El Parral Ballroom, 210 4<sup>th</sup> Street NE  
 Temporary 3.2 Beer: Austin Area Chamber of Commerce on July 18, 2017 at the Plager Building  
 Temporary Food: Our Gang Concessions, LLC at the Austin ArtWorks Festival  
 Temporary Food: The Iowa Grill at the Austin ArtWorks Festival  
 Temporary Food: Twisted Barrel Wood Fired Pizza at the Austin ArtWorks Festival  
 Temporary Liquor: Austin Area Commission for the Arts on June 22, 2017 at the Paramount Theater  
 Temporary Liquor: Marcusen Park Baseball Association at the Mower County Fairgrounds on July 8, 2017

Claims:

- a. Credit Card and Financial Report.
- b. Pre-list of Bills.
- c. Patti Lang. The matter was forwarded to the City Attorney to protect the City's interest.

Carried 6-0 with Council Member Helle abstaining.

BID OPENINGS AND AWARDS:

The City received bids for a mill & overlay and street lighting project on 9<sup>th</sup> Place SW. The following bids were received:

Contractor	Bid
Ulland Bros., Inc.	\$126,036.95
Rochester Sand and Gravel	\$127,051.30

Public Works Director Steven Lang stated work will consist of a mill & overlay of the street and replacement of the street lights. There will also be pedestrian ramp improvements. He recommended awarding the bid to Ulland Bros., Inc. He noted the work will begin after the 4<sup>th</sup> of July.

Moved by Council Member Enright, seconded by Council Member King, awarding the bid for a mill & overlay and street lighting project on 9<sup>th</sup> Place SW to Ulland Brothers, Inc. Carried 7-0.

The City received bids for alley reconstruction of the alley between 9<sup>th</sup> and 10<sup>th</sup> Street NE, south of 4<sup>th</sup> Avenue NE. The following bids were received:

Contractor	Bid
Ulland Bros., Inc.	\$79,027.50

Public Works Director Steven Lang stated work will consist of reconstruction of the alley, utility upgrades and sidewalk replacement. He recommended awarding the bid to Ulland Bros., Inc.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, awarding the bid for alley reconstruction between 9<sup>th</sup> and 10<sup>th</sup> Street NE to Ulland Brothers, Inc. Carried 7-0.

The City received bids for street construction on 27<sup>th</sup> Avenue NW from 4<sup>th</sup> Street NW to 5<sup>th</sup> Street NW. The following bids were received:

Contractor	Bid
Ulland Bros., Inc.	\$147,801.50

Public Works Director Steven Lang stated work will consist of construction of the roadway, tile line installation, curb & gutter and street light installation. He recommended awarding the bid to Ulland Bros., Inc.

Moved by Council Member Enright, seconded by Council Member King, awarding the bid for street construction on 27<sup>th</sup> Avenue NW from 4<sup>th</sup> Street NW to 5<sup>th</sup> Street NW to Ulland Brothers, Inc. Carried 7-0.

#### PETITIONS AND REQUESTS:

Park and Recreation Director Kim Underwood stated the Todd Park south parking lot is in need of repairs due to frost boils. She stated she has \$28,000 in the 2017 budget to cover the almost \$33,000 bid. The Park Board approved the work on the parking lot being completed subject to \$5,000 in contingency funds being obtained from the City Council.

Moved by Council Member Austin, seconded by Council Member King, authorizing the use of 2017 contingency funds in the amount of \$5,000 for Todd Park parking lot repairs. Carried.

City Attorney David Hoversten presented findings of fact and order from a public hearing held on May 15, 2017 regarding the revocation of a massage establishment license issued to Frank Windish/Serenity Massage.

Moved by Council Member Austin, seconded by Council Member Fischer, adopting a resolution approving findings of fact and order for the revocation of Serenity Massage's massage establishment license. Carried 7-0.

City Attorney David Hoversten presented findings of fact and order from a public hearing held on May 16, 2017 regarding a dangerous dog designation for a dog known as Oso owned by Carrie Lynn Anker. The findings state that the animal will not be destroyed as long as certain conditions are met.

Moved by Council Member King, seconded by Council Member Enright, adopting a resolution approving findings of fact and order for a dangerous dog designation for the animal known as "Oso" owned by Carrie Anker. Carried 7-0.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution approving a liquor catering license for Hy-Vee, Inc. dba Hy-Vee Market Grille. Carried 7-0.

Moved by Council Member King, seconded by Council Member-at-Large Anderson, adopting a resolution approving a Sunday hard liquor on-sale license for El Parral Ballroom, Inc. Carried 7-0.

Public Works Director Steven Lang requested the Council approve a maintenance agreement with the Minnesota Department of Transportation for Highway 105. The agreement includes a 2% increase for the City maintaining the road and is for fiscal year 2018 and 2019.

Moved by Council Member Hagen, seconded by Council Member Enright, adopting a resolution approving a maintenance agreement with MnDOT for Highway 105. Carried 7-0.

Public Works Director Steven Lang requested the Council approve a building entry agreement with CenturyLink for telecommunication service to the Hormel Hangar located at the Austin Municipal airport.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution approving a Century Link building entry agreement. Carried 7-0.

Public Works Director Steven Lang presented a master agreement with the Minnesota Department of Transportation. The agreement allows staff to work with MnDOT on minor projects without formal agreements for every project. Mr. Lang recommended approval of the master agreement.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution approving a Master Partnership Contract with the Minnesota Department of Transportation. Carried 7-0.

Public Works Director Steven Lang requested the Council vacate a public right-of-way located in Fox Pointe to accommodate a development for 38 rental townhomes and 10 single family lots. The Council would need to set a public hearing for July 3, 2017.

Moved by Council Member Enright, seconded by Council Member Hagen, adopting a resolution reviewing a vacation request from Pro Growth Bank and setting a public hearing for the vacation on July 3, 2017. Carried 7-0.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution accepting a 2016 FEMA assistance to firefighters grant. Carried 7-0.

Park and Recreation Director Kim Underwood requested the Council approve \$24,601.22 in change orders on the Nature Center Interpretive Center project.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adopting a resolution approving change order number 4 on the Nature Center construction project. Carried 7-0.

Director of Administrative Services Tom Dankert requested the Council call for a public hearing on July 17, 2017 at 5:30 p.m. for the establishment of a tax increment financing district for a development at Fox Pointe.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution Calling for a public hearing on approval of a tax increment financing plan for tax increment financing housing district no. 14 in the City of Austin and establishment of tax increment financing housing district no. 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 506 11th Avenue SW, Wendroth 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 508 11th Avenue SW, Ulwelling Properties property. Carried.

Moved by Council Member King, 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 1409 10<sup>th</sup> Avenue NW, Mens 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 1206 6<sup>th</sup> Avenue SW, Wilde 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 2121 1st Avenue NE, Manggaard property. Carried.

Moved by Council Member King, 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 605 21<sup>st</sup> Street NE, Thompson 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 2021 4th Avenue NE, Wells Fargo Bank property. Carried.

Director of Administrative Services Tom Dankert provided Council an update on the State Fire Aid issue. Mr. Dankert stated the legislature passed a bill to fix the issue created by the repealed law but the Governor vetoed the bill due to other provisions added at the last minute. Therefore, the City owes the Relief association \$129,093.40 for 2016 and \$214,605.99 from prior years. City staff met with Senator Dan Sparks and Representative Jeanne Poppe and the decision was

made to forfeit the 2016 State Fire Aid. Senator Sparks and Representative Poppe would work in the 2018 legislative session to pass a bill to resolve the City of Austin's issue which would include the repayment of the forfeited 2016 State Aid.

Moved by Council Member Austin, seconded by Council Member Hagen, forfeiting the 2016 State Fire Aid. Carried 7-0.

Mr. Dankert thanked Senator Sparks and Representative Poppe for all their hard work in getting the bill passed.

## REPORTS

Council Member-at-Large Anderson welcomed the new library director Julie Clinefelter.

City Administrator Craig Clark noted the city will receive \$136,000 in increased local government aid for 2018.

Planning and Zoning Administrator Holly Wallace stated the City is working on the walking survey tours of the City.

Public Works Director Steven Lang stated the Oakland Place bridge will open Thursday, June 8<sup>th</sup>. The I-90/11<sup>th</sup> Drive NE bridge will close Friday, June 9<sup>th</sup> for reconstruction.

Park and Recreation Director Kim Underwood noted the pool will open on June 12<sup>th</sup> at 1:00 p.m.

Police Chief Brian Krueger noted the Police Department changed to their new uniforms on June 1, 2017.

Moved by Council Member Austin, seconded by Council Member Enright, adjourning the meeting to June 19, 2017. Carried.

Adjourned: 6:05 p.m.

Approved: June 19, 2017

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

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