

M I N U T E S
CITY COUNCIL MEETING
July 17, 2017
5:30 PM
Council Chambers

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

MEMBERS ABSENT: Council Member Laura Helle

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 City Clerk Ann Kasel

OTHERS PRESENT: Jessica Swanson, Oballa Oballa, Miguel Garate, Lia Culbert, Jason Baskin, Richard Lemons, Jon Erichson, KAUS Radio, Austin Daily Herald, Public

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

Additions to Consent Agenda:

Temporary Food: Jacob Bentley, 57443 260th Street, Austin at the Bandshell on July 22, 2017

Claims:

Patrick and Pamela Retterath, 700 38th Avenue NE. The matter has been forwarded to the City Attorney to protect the City's interest.

Addition to Agenda

(res) 19. Approving a consulting services contract with USAquatics for new slides at the Austin Municipal Pool.

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

Moved by Council Member Enright, seconded by Council Member Fischer, approving the Council minutes from July 3, 2017. Carried.

AWARDS, RECOGNITIONS AND REPORTS

Jason Baskin with the Austin Human Rights Commission presented the Commission's Welcoming report detailing the diversity of the community and impacts of that diversity.

CONSENT AGENDA

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

Licenses:

Kennel: All Fur Dogs, LLC, 1600 22nd Avenue SW
Tree Trimmer: AC Tree Services, 1618 Marion Rd SE, Rochester
Temporary Food: Jacob Bentley, 57443 260th Street, Austin at the Bandshell on July 22, 2017

Claims:

- a. Pre-list of bills
- b. Investment and Financial Report.
- c. Patrick and Pamela Retterath, 700 38th Avenue NE. The matter has been forwarded to the City Attorney to protect the City's interest.

PUBLIC HEARINGS:

A public hearing was held to review a tax increment financing plan for tax increment district no. 14 (North Pointe). Director of Administrative Services Tom Dankert stated the TIF district will be established for the purpose the development of a 38 unit housing district. The TIF District would be for a term of 25 years.

There were no public comments.

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, adopting a resolution establishing tax increment financing district no. 14 in municipal development district no.1 and adopting a tax increment financing plan therefor. Carried 6-0.

BID OPENINGS AND AWARDS:

The City received bids for parking lot improvements at the B & J Bar and Grill. The following bids were received:

Contractor	Bid
Hansen Hauling and Excavating, Inc.	\$ 84,358.75
Koch, Inc.	\$136,440.00
RAW Construction, LLC	\$137,739.25

Public Works Director Steven Lang stated the work will be funded in part by an adjacent property owner and he recommended awarding the bid to Hansen Hauling and Excavating, Inc. The project will be completed in the fall of 2017.

Moved by Council Member Hagen, seconded by Council Member King, adopting a resolution awarding the bid for B & J Parking lot improvements to Hansen Hauling & Excavating, Inc. Carried 6-0.

PETITIONS AND REQUESTS:

Planning and Zoning Administrator Holly Wallace presented a proposed fencing ordinance to address safety concerns in industrial areas. She stated outdoor storage is currently required to be fenced in I-1 districts and the proposed ordinance would require that fencing in I-2 districts as well. She also noted that other language clarifications were made in the fencing ordinance.

Moved by Council Member King, seconded by Council Member Austin, for preparation of the fencing ordinance in Chapter 12 of the City Code. Carried.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, for adoption and publication of the ordinance in Chapter 12 of the City Code. Carried 6-0.

Moved by Council Member Austin, seconded by Council Member Enright, for preparation of the fencing ordinance in Chapter 4 of the City Code. Carried.

Moved by Council Member Austin, seconded by Council Member Enright, for adoption and publication of the ordinance in Chapter 4 of the City Code. Carried 6-0.

Planning and Zoning Administrator Holly Wallace requested the Council authorize a resolution annexing property owned by Steven and Deb Thorson in Red Rock Township. The Township is not opposed to the annexation and the Thorsons would hook into the City sewer once annexed.

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, adopting a resolution approving an annexation agreement for Steve and Debra Thorson. Carried 6-0.

Public Works Director Steven Lang requested the Council authorize an application for a Point Source Implementation Grant for Turtle Creek 2. The City would like to extend sewer service to the area and the grant would cover 50% to 80% of the construction costs. Mr. Lang stated the City applied for the same grant last year but the grant was not awarded so the City is applying again.

Moved by Council Member-at-Large Anderson, seconded by Council Member Enright, adopting a resolution approving the application for a PSIG Grant for Turtle Creek 2. Carried 6-0.

City Administrator Craig Clark requested the Council authorize a franchise extension agreement through December 31, 2017 for Charter Communications.

Moved by Council Member King, seconded by Council Member Hagen, adopting a resolution granting Charter Communications a franchise extension agreement through December 31, 2017. Carried 6-0.

City Clerk Ann Kasel requested the Council authorize reassessing forfeited properties. She stated there were properties there were forfeited to the State of Minnesota for non-payment of real estate taxes and the City would now need to reassess the assessments that were on those properties.

Moved by Council Member Austin, seconded by Council Member Fischer, adopting a resolution approving County Board classification of forfeited property and declaring the City's intention to reassess unpaid assessments for properties to be sold. Carried 6-0.

Moved by Council Member Enright, seconded by Council Member Austin, adopting a resolution approving County Board classification of forfeited property and declaring the City's intention to reassess unpaid assessments for the property the City is retaining. Carried 6-0.

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

Planning and Zoning Administrator Holly Wallace reviewed a sign appeal for the Austin Area Commission for the Arts. She stated the Commission is requesting a variance for the size of charitable signs placed around town advertising for the art festival. Current code allows the signs to be 24 square feet in size and the size of the signs placed is 32 square feet. The Planning Commission reviewed the request at their July 11, 2017 meeting and recommended approval of the request by a 9-0 vote. The approval would be for 2017 signs only and the 2018 signs would need to be designed to meet code.

Moved by Council Member Hagen, seconded by Council Member-at-Large Anderson, approving a sign appeal from the Austin Area Commission for the Arts. Carried.

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

Public Works Director Steven Lang requested the Council affirm the vacation of easements and a public right of way in Fox Pointe and appoint vacation commissioners to view the property.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution affirming the vacation of the public right-of-way and easements in Fox (North) Pointe and appointing vacation commissioners. Carried 6-0.

Planning and Zoning Administrator Holly Wallace reviewed the final plat for North Pointe Addition. The area is being replatted and rezoned for a 38 unit townhome and single family development. The Council previously approved the preliminary plat and the Planning Commission approved the plat and zoning change at their July 11, 2017 meeting by a 9-0 vote.

Moved by Council Member Enright, seconded by Council Member Fischer, adopting a resolution approving the final plat for North Pointe Addition. Carried 6-0.

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

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

Moved by Council Member King, seconded by Council Member Enright, adopting a resolution accepting donations to the City of Austin. Carried 6-0.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, appointing of Dan Mueller to the Human Rights Commission, term expiring December 31, 2019. Carried.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, appointing Caitlin Olson to the Sustainability Taskforce, term expiring December 31, 2018. 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 816 7th Avenue NE, Martinez 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 1004 7th Avenue NE, Ernst 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 609 14th Street NW, Gonzalez Property. Carried.

Park and Recreation Director Kim Underwood requested the Council approve a contract with USAquatics for design and consulting services on the new slides at the Austin Municipal Pool. She stated the project will be funded by the Hormel Foundation over a three year funding cycle.

Moved by Council Member Austin, seconded by Council Member Hagen, approving a consulting services contract with USAquatics for new slides at the Austin Municipal Pool. Carried 7-0.

REPORTS

Council Member-at-Large Anderson thanked the Chamber for the nice Freedom Fest celebration.

Director of Park and Recreation Kim Underwood stated the second Noon Kiwanis' track meet will be held on Tuesday, July 25th at 6:00 p.m.

Police Chief Brian Krueger stated National Night Out will be held on August 1st at the Veteran's Pavilion from 4-8 p.m.

Mayor Stiehm expressed his condolences to Jeanne Poppe who lost her husband recently.

Moved by Council Member Austin, seconded by Council Member Enright, adjourning the meeting to August 6, 2017. Carried.

Adjourned: 6:13 p.m.

Approved: August 7, 2017

Mayor: _____

City Recorder: _____