

A G E N D A
CITY COUNCIL MEETING
TUESDAY, JULY 6, 2021
5:30 P.M.
COUNCIL CHAMBERS

Call to Order.

Pledge of Allegiance.

Roll Call.

(mot) 1. Adoption of Agenda.

(mot) 2. Approving minutes from June 21, 2021

3. Recognitions and Awards.

(mot) 4. *Consent Agenda

Licenses:

Food: Unity Asian Grocery, Inc, 1300 18th Avenue NW, Suite C

Right of Way Contractor: MJ O'Connor, Inc, 1507 14th St NE

Temporary Liquor: Austin Area Commission for the Arts on August 28, 2021

Claims:

a. Pre-list of bills

b. Credit Card Report.

PUBLIC HEARINGS:

5. Public hearing for deferred sanitary sewer assessments. The amount to be assessed is \$262,792.90 at 3.5% for 10 years.

a. Presentation of the project and associated assessments.

b. Call for written objections.

c. Motion to adjourn and continue the hearing on those properties for which written objections to the assessment have been filed.

(res) d. Resolution declaring the cost.

(res) e. Resolution adopting the assessment roll.

6. Public hearing for deferred water assessments. The amount to be assessed is \$55,206.90 at 3.5% for 10 years.

a. Presentation of the project and associated assessments.

b. Call for written objections.

c. Motion to adjourn and continue the hearing on those properties for which written objections to the assessment have been filed.

(res) d. Resolution declaring the cost.

(res) e. Resolution adopting the assessment roll.

PETITIONS AND REQUESTS:

(mot) 7. For the removal of a Human Rights Commissioner.

8. Granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at the following locations:
- (mot) a. 1001 4th Avenue NE, Folly & Soudi Property
- (mot) b. 713 4th Avenue NE, Miller Property.

CITIZENS ADDRESSING THE COUNCIL

HONORARY COUNCIL MEMBER COMMENTS

REPORTS AND RECOMMENDATIONS:

City Administrator

City Council

- (mot) Adjourn to **Monday, July 19, 2021** at 5:30 pm in the Council Chambers.

All items listed with an asterisk () are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a council member or citizen so requests in which event the item will be removed from the general order of business and considered in its normal sequence on the agenda.

M I N U T E S
CITY COUNCIL MEETING
June 21, 2021
5:30 PM
Council Chambers

MEMBERS PRESENT: Mayor King. Council Members Paul Fischer, Rebecca Waller, Jason Baskin, Michael Postma, Oballa Oballa and Council Member-at-Large Jeff Austin

MEMBERS ABSENT: Council Member Joyce Poshusta

STAFF PRESENT: City Administrator Craig Clark, Director of Administrative Services Tom Dankert and Police Chief David McKichan

STAFF APPEARING ELECTRONICALLY: Public Works Director Steven Lang, Fire Chief Jim McCoy, Planning and Zoning Administrator Holly Wallace, Human Resources Director Trish Wiechmann, Park and Rec Director Kevin Nelson, City Attorney Craig Byram, Library Director Julie Clinefelter and City Clerk Ann Kasel

OTHERS APPEARING ELECTRONICALLY: Brian Grogan, Austin Daily Herald, Honorary Council Member Christopher Moore

APPEARING IN PERSON: Talan Medgaarden, Jerry Mohrfeld, Jerry McCarthy

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

Moved by Council Member Fischer, seconded by Council Member Waller, approving the agenda. Carried.

Moved by Council Member Fischer, seconded by Council Member Baskin, approving Council minutes from June 7, 2021. Carried.

RECOGNITIONS AND AWARDS

Mayor King recognized Talan Medgaarden as the Mayor for a day.

Mayor King recognized Jerry Mohrfeld as a founding member of the Austin Port Authority in 1987. He recently retired from this position and was part of many important projects through the years. Jerry McCarthy, Port Authority President, thanked Jerry Mohrfeld.

CONSENT AGENDA

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

Claims:

- a. Pre-list of bills
- b. Investment and Financial Reports.

Event Applications:

Faith for the Future Block Party – First United Methodist Church on August 29, 2021

Carried.

PETITIONS AND REQUESTS

Moved by Council Member Postma, seconded by Council Member Baskin, approving a \$1,000 donation to 4th Avenue Fest coming from contingency funds. Carried.

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

City Administrator Craig Clark stated the League of Minnesota Cities has recommended that cities pass a resolution applying for the American Rescue Plan Act funds from the Federal Government. The City is estimated to received \$2,873,530. He requested Council adopt a resolution approving the application for the funds and a motion authorizing the City Administrator to sign the supporting documentation.

Moved by Council Member-at-Large Austin, seconded by Council Member Oballa, adopting a resolution applying for the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan. Carried 6-0.

Moved by Council Member Postma, seconded by Council Member Waller, authorizing the City Administrator to sign assurances of compliance with Civil Rights requirements and compliance with award terms and conditions. Carried 6-0.

The Council reviewed an ordinance for the adoption of a cable franchise agreement with CMS-RUS, Inc. dba MetroNet.

Moved by Council Member Fischer, seconded by Council Member Waller, for preparation of the cable franchise agreement ordinance. Carried.

Moved by Council Member Baskin, seconded by Council Member Waller, for adoption of the ordinance. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Waller, for publication of the summary ordinance. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member-at-Large Austin, adopting a resolution approving an indefeasible right of use agreement with MetroNet. Carried 6-0.

Council Member-at-Large Austin requested Mr. Clark explain the indefeasible right of use agreement.

City Administrator Craig Clark stated the agreement would require MetroNet to run fiber to City facilities and the City would waive the permit installation fees for the City-wide right-of-way project.

Brian Grogan stated the fibers are going to be intermingled with other fibers placed in the ground but the City will have the right to use them.

Public Works Director Steven Lang requested the Council approve a flood acquisition grant through the Homeland Security Emergency Management Agency for the purchase of a flood property located at 304 22nd Street SW. The grant would cover up to 75% of the costs of the project, up to \$202,937.25.

Moved by Council Member Baskin, seconded by Council Member Waller, adopting a resolution approving a FEMA grant award for flood property purchase. Carried 6-0.

Public Works Director Steven Lang requested the Council approve a routine maintenance agreement with the Minnesota Department of Transportation for the portion of Highway 105 located in the City of Austin. The City provides routine maintenance such as snowplowing, sanding and patching for the State and the State reimburses the City. The State has proposed a 3.5% increase each year for the two-year contract.

Moved by Council Member Fischer, seconded by Council Member Baskin, adopting a resolution approving a MN Dot maintenance contract for Hwy 105. Carried 6-0.

Public Works Director Steven Lang stated the City passed a resolution at the June 7, 2021 Council meeting requesting \$13 million in bonding funds for the Waste Water Treatment Plant from the 2022 proposed bonding bill. Due to an anticipated increase in labor costs and materials he requested that amount be revised to \$14.5 million.

Moved by Council Member Baskin, seconded by Council Member Oballa, adopting a resolution rescinding resolution 16295. Carried 6-0.

Moved by Council Member Postma, seconded by Council Member Oballa, adopting a resolution in support of a \$14.5 million dollar bonding request for the Waste Water Treatment Plant. Carried 6-0.

Planning and Zoning Administrator Holly Wallace reviewed the final plat and development agreement for Nature Ridge Third Subdivision. She stated the plat would consist of 26 lots over 11 acres. The Planning Commission reviewed the matter at their June 15, 2021 meeting and

recommended approval by a 7-0 vote. She stated the development agreement also needs to be approved and has been approved by the Port Authority and Austin Utilities.

Moved by Council Member Baskin, seconded by Council Member-at-Large Austin, adopting a resolution approving the final plat for Nature's Ridge Third Addition. Carried 6-0.

Moved by Council Member Fischer, seconded by Council Member Baskin, adopting a resolution approving a development agreement for Nature's Ridge Third Addition. Carried 6-0.

BID OPENING AND AWARD

The City received bids for pavement striping. The following bids were received:

Contractor	Bid
AAA Striping Service Co.	\$ 8,880.00
Traffic Marking Service	\$10,485.00

Public Works Director Steven Lang stated work will consist of centerline striping of 25 miles of roadways. Mr. Lang recommended awarding the bid to AAA Striping Service Co.

Moved by Council Member Baskin, seconded by Council Member Fischer, awarding the bid for striping services to AAA Striping Service Co. Carried 6-0.

The City received bids for the 10th Place NE sanitary sewer extension. The following bids were received:

Contractor	Bid
Hodgman Drainage Co.	\$ 66,562.50
Alcon Excavating	\$ 69,325.75
SL Contracting Inc.	\$ 99,700.00
Heselton Construction, LLC	\$127,295.00

Public Works Director Steven Lang stated work will consist of extending the sanitary sewer 700 feet west on 10th Place NE. He stated there are two property owners on the road and the City will be able to recoup approximately half of the cost of the project through hook up fees. Mr. Lang recommended awarding the bid to Hodgman Drainage Co.

Moved by Council Member Fischer, seconded by Council Member Waller, awarding the bid for 10th Place NE sanitary sewer extension to Hodgman Drainage Co. Carried 6-0.

Public Works Director Steven Lang stated the County received bids for the 31st Street SW road realignment project with the low bidder being Ulland Brothers, Inc. at \$1,197,736.15. The City portion of the work related to pond and storm sewer construction is \$306,886.02 and those costs are eligible for State Aid funding. Mr. Lang requested the Council authorize the use of State Aid funds for the project and support Mower County's intent to award the project to Ulland Brothers, Inc.

Moved by Council Member Postma, seconded by Council Member Oballa, authorizing the use of State Aid funds for the project and supporting Mower County's intent to award the project to Ulland Brothers, Inc. Carried 6-0.

REPORTS

Council Member Baskin enjoyed the Cedar River Farmer's Market.

Council Member Oballa recognized Juneteenth as a federal holiday.

Council Member Postma thanked the Police Department for a ride along.

Police Chief McKichan recognized Officer Derek Ellis and K9 Rudy for their recent accomplishment of winning first place in the region for patrol dog and second in narcotics.

Moved by Council Member Baskin, seconded by Council Member Oballa, adjourning the meeting to July 6, 2021. Carried.

Adjourned: 6:11 p.m.

Approved: July 6, 2021

Mayor: _____

City Recorder: _____

City of Austin
Ann M. Kasel, City Clerk



500 Fourth Avenue N.E.
Austin, Minnesota 55912-3773
Phone: 507-437-9943
Fax: 507-434-7197
www.ci.austin.mn.us

MEMORANDUM

To: Mayor and City Council
From: Ann M. Kasel
Re: Assessment of Deferred Sewer and Water Properties
Date: June 25, 2021

Attached are the proposed assessment rolls and resolutions for the final assessment hearing for deferred sewer and water projects. There are \$262,792.90 in deferred sewer assessments and \$55,206.90 in deferred water projects.

The interest rate, final prepayment date and terms for payment could be modified, if the Council desired. Currently, we are charging a 3.5% interest rate, with prepayment due by August 9, 2021 and a repayment term of 10 years.

We have had some property owners already pay these assessments this year and have hundreds of deferred assessments paid through the years.

The Council reviewed the matter at their April 5, 2021 work session and recommended moving the assessments forward on the properties by a 7-0 vote.

Please let me know if you have any questions.

__ extra days
Fund - 49480.4204
Code -

Resolution No

Deferred Sanitary Sewer Projects
Interest at 3.5% starting August 10, 2021
10 years

Page 1

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total Amount</u>
Patrick James and Barbara Connor 34.003.0015	Lot 2	1	AMD Acres	4,200.00
Timothy and Louise Davis 34.011.0050	Lot 5 of Subd of N 371.01 Ft	2	Austin Homesteads	3,745.51
Betty Osmonson 34.011.0300	Lot 3	3	Austin Homesteads	2,925.00
Trust Agreement of Nathan and Shawn Swank 34.011.0470	S 1/2 Lot 2	4	Austin Homesteads	4,900.00
Michael Goetz 34.011.0550	Lot 8 Exc W 120 ft	4	Austin Homesteads	4,387.00
Josh and Andrea Diaz 34.011.0880	Lot 4 exc. 100 by 244.8 ft SW Corner	6	Austin Homesteads	2,440.00
Daniel and Caroline Christianson 34.011.0900	Lot 5 exc 2.15 Ac E 1/2 95' x 355'	6	Austin Homesteads	4,437.48
Derrick and Lisa Dahl 34.011.0920	1.39 Ac SE Cor Lot 5	6	Austin Homesteads	3,927.00
Brian Bakken 34.011.0940	N 1/2 N 274' E 232.6' Lot 2	7	Austin Homesteads	7,934.45
Roman Steichen 34.011.1010	Lot 4 exc E 200' Exc. N 142.36 ft	7	Austin Homesteads	6,299.68 PAID
Stephen Blum 34.011.1020	Lot 1 exc N 152.5 ft E 40 ft	8	Austin Homesteads	6,042.74
Tracey and Connie Murphy 34.011.1350	N 100 ft Lot A Subd. Lot 9	9	Austin Homesteads	5,361.73
Betty Underdahl 34.105.1340	Lot 5	13	Browns	200.00 PAID

__ extra days
Fund - 49480.4204
Code -

Resolution No

Deferred Sanitary Sewer Projects
Interest at 3.5% starting August 10, 2021
10 years

Page 1

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total Amount</u>
Riverland Community College Foundation 34.152.0010	Lots 1 and 2	1	College Park	2,746.48
Donald and Silvan Durben 34.193.0230	Lot 3	2	Dinsmoor Acres	2,433.98
Jane Crowley 34.200.0220	E 1/2 Lot 8	2	Dobbins Crest 2nd	1,000.00
T & L Farms, LLC 34.224.0050	Lot 5	1	Eastside Development	1,200.00
T & L Farms, LLC 34.224.0060	Lot 6	1	Eastside Development	1,200.00
Ellen Stekel 34.323.0060	Lot 6		Hillier 1st	3,258.68
Jerald & Ellen Stark 34.323.0080	Lot 8		Hillier 1st	3,258.22
Casey and Katie McIntyre 34.323.0110	Lot 11		Hillier 1st	3,246.46
Scott Knutson 34.360.0040	Lot 4	1	Kenevan & Kings	250.00
Elizabeth A Schwab Revocable Trust 34.501.0035	Outlot 4 exc. W 10 ft		Norman Park 1st	1,798.00
John and Kelsey Hilgers 34.523.0190	Lot 1	3	Oak Ridge	2,880.00 PAID
Robert and Roberta Jones 34.523.0250	Lot 7	3	Oak Ridge	3,396.00
Marshall and Linda Halvorson 34.523.0300	Lot 4	4	Oak Ridge	2,838.00

__extra days
Fund - 49480.4204
Code -

Resolution No

Page 1

Deferred Sanitary Sewer Projects
Interest at 3.5% starting August 10, 2021
10 years

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total Amount</u>
John and Karen Lammey 34.523.0390	Lot 1	5	Oak Ridge	3,103.00
Steven Olson 34.523.0440	Lot 7	5	Oak Ridge	2,850.00
Timothy Butler 34.523.0480	Lot 11	5	Oak Ridge	2,850.00
Randall and Wendy Kramer 34.536.0140	Lot 4,	1	Oakwood 2nd	6,750.00
Zeud Intentions Company, LLC 34.639.0100	Lot 1	2	Sheedy's	49,010.97
Jason Lundberg 34.662.0100	Lot 2	3	Southern Heights	4,030.00
David and Lorene Strobel 34.662.0140	Lot 6	3	Southern Heights	4,030.00
James Miller 34.662.0240	Lot 16	3	Southern Heights 1st	3,120.00
James Miller 34.662.0250	Lot 17	3	Southern Heights 1st	3,120.00
Mary Ann Greenman 34.662.0290	Lot 1	5	Southern Heights 1st	3,078.00
John Fair 34.662.0320	Lot 4	5	Southern Heights 1st	2,730.00
Thomas C. Baudler 34.662.0340	Lot 2	6	Southern Heights 1st	2,915.00
Charles Enger c/o J. Michael Enger 34.663.0200	Lot 13	9	Southern Heights 2nd	2,645.00
Charles Enger c/o J. Michael Enger 34.663.0210	Lot 14	9	Southern Heights 2nd	3,853.73

__ extra days
Fund - 49480.4204
Code -

Resolution No

Deferred Sanitary Sewer Projects
Interest at 3.5% starting August 10, 2021
10 years

Page 1

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total Amount</u>
Norman Blaser 34.665.0192	Outlot 46		Southgate 1st	2,890.00
Stephen and Nancy Brick 34.665.0400	Outlot 69		Southgate 1st	4,124.00 PAID
Emmanuel Baptist Church 34.670.0232	Lots 2-7	2	Southgate 2nd	15,996.66
Morem Properties 34.820.0915	E. 340 ft N 1/2 OL 4 exc E 100 ft N 300 ft (E 1/2)		Outlots in 4-102-18	4,696.00
Morem Properties 34.820.0915	E. 340 ft N 1/2 OL 4 exc E 100 ft N 300 ft (W 1/2)		Outlots in 4-102-18	4,696.00
Barbara Langan Revocable Family Trust 34.820.0934	E 1/2 OL 7 & 8 exc S 150 ft W 54 ft (E 1/2)		Outlots in 4-102-18	5,055.00
Barbara Langan Revocable Family Trust 34.820.0934	E 1/2 OL 7 & 8 exc S 150 ft W 54 ft (W 1/2)		Outlots in 4-102-18	5,055.00
Wolfgang Baumann 34.875.0055	SW 1/4 NE 1/4 SE 1-90 & 2.57 Ac SW Cor SE 1/4 NE 1/4		Section 5-102-18	6,900.00
Wolfgang Baumann 34.875.0055	NW 185' from the NE cor of Lot 5 to POB then NW 185' along street ROW		Section 5-102-18	6,900.00
Estate of Wallace Bustad 34.825.0450	N 120' of N 240' of S 618.12' of OL 8 in NE 1/4		Section 9-102-18	1,978.10
Douglas and Tammy Rysavy 34.879.0080	E 1/2 of the E 10 ac NW 1/4 SW 1/4		Section 9-102-18	5,650.00
Ronald Mecklenburg 34.880.0245	N 10 Ac.W 1/2 SW 1/4 Exc E 198 ft and Exc 135 x 135 lot in NW corner		Section 10-102-18	5,675.25

__ extra days
Fund - 49480.4204
Code -

Resolution No

Page 1

Deferred Sanitary Sewer Projects
Interest at 3.5% starting August 10, 2021
10 years

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total Amount</u>
Ronald Mecklenburg 34.880.0245	N 10 Ac.W 1/2 SW 1/4 Exc E 198 ft and Exc 135 x 135 lot in NW corner		Section 10-102-18	5,937.99
Ronald Mecklenburg 34.880.0274	S. 336' W 180' SW /4 NW 1/4 less St. ROW		Section 10-102-18	4,637.21
Bruce and Betsy Stewart 34.895.0210	N 167 ft W 67.5 ft E 397.5 ft SE 1/4 SE 1/4 exc N 32 ft W 45.5 ft		Section 33-103-18	1,074.13
Michael and Sharon Kelzer 34.895.0270	N 327.6 ft W 82.5 ft E 617.5 ft SE 1/4 SE 1/4		Section 33-103-18	1,135.45 PAID

Total Assessment \$
Prepayment

__extra days
Fund - 91000.1210.05
Code -

Resolution No

Page 1

Deferred Water Projects
Interest at 3.5% starting August 10, 2021
10 years

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total Amount</u>
Timothy and Louise Davis 34.011.0050	Lot 5 of Subd of N 371.01 Ft	2	Austin Homesteads	1,518.00
Betty Osmonson 34.011.0300	Lot 3	3	Austin Homesteads	823.00
Jason Boysen 34.011.0405	Lot 5 exc the E 253 ft	3	Austin Homesteads	2,125.00
Trust Agreement of Nathan and Shawn Swank 34.011.0470	S 1/2 Lot 2	4	Austin Homesteads	1,898.00
Michael Goetz 34.011.0550	Lot 8 Exc W 120 ft	4	Austin Homesteads	1,468.00
Josh and Andrea Diaz 34.011.0880	Lot 4 exc. 100 by 244.8 ft SW Corner	6	Austin Homesteads	1,360.00
Daniel and Caroline Christianson 34.011.0900	Lot 5 exc 2.15 Ac E 1/2 95' x 355'	6	Austin Homesteads	1,202.00
Derrick and Lisa Dahl 34.011.0920	1.39 Ac SE Cor Lot 5	6	Austin Homesteads	1,371.00
Brian Bakken 34.011.0940	N 1/2 N 274' E 232.6' Lot 2	7	Austin Homesteads	2,948.00
Roman Steichen 34.011.1010	Lot 4 exc E 200' Exc. N 142.36 ft	7	Austin Homesteads	3,868.86 PAID
Stephen Blum 34.011.1020	Lot 1 exc N 152.5 ft E 40 ft	8	Austin Homesteads	2,530.00
Tracey and Connie Murphy 34.011.1350	N 100 ft Lot A Subd. Lot 9	9	Austin Homesteads	1,265.00
Ellen Stekel	Lot 6		Hillier 1st	1,632.00

__ extra days
Fund - 91000.1210.05
Code -

Resolution No

Page 1

Deferred Water Projects
Interest at 3.5% starting August 10, 2021
10 years

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total Amount</u>
34.323.0060				
Jerald & Ellen Stark 34.323.0080	Lot 8		Hillier 1st	1,632.00
Casey and Katie McIntyre 34.323.0110	Lot 11		Hillier 1st	1,615.00
John and Kelsey Hilgers 34.523.0190	Lot 1	3	Oak Ridge	1,265.00 PAID
Robert and Roberta Jones 34.523.0250	Lot 7	3	Oak Ridge	1,265.00
Marshall and Linda Halvorson 34.523.0300	Lot 4	4	Oak Ridge	1,265.00
John and Karen Lammey 34.523.0390	Lot 1	5	Oak Ridge	1,443.99
Steven Olson 34.523.0440	Lot 7	5	Oak Ridge	1,265.00
Timothy Butler 34.523.0480	Lot 11	5	Oak Ridge	1,265.00
Jason Lundberg 34.662.0100	Lot 2	3	Southern Heights	1,265.00
David and Lorene Strobel 34.662.0140	Lot 6	3	Southern Heights	1,265.00
John Fair 34.662.0320	Lot 4	5	Southern Heights 1st	1,619.00
Thomas C. Baudler 34.662.0340	Lot 2	6	Southern Heights 1st	1,366.00
Charles Enger c/o J. Michael Enger 34.663.0210	Lot 14	9	Southern Heights 2nd	562.10

__ extra days
Fund - 91000.1210.05
Code -

Resolution No

Page 1

Deferred Water Projects
Interest at 3.5% starting August 10, 2021
10 years

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total Amount</u>
Norman Blaser 34.665.0192	Outlot 46		Southgate 1st	875.50
Stephen and Nancy Brick 34.665.0400	Outlot 69		Southgate 1st	926.50 PAID
Morem Properties 34.820.0915	E. 340 ft N 1/2 OL 4 exc E 100 ft N 300 ft (E 1/2)		Outlots in 4-102-18	1,020.00
Morem Properties 34.820.0915	E. 340 ft N 1/2 OL 4 exc E 100 ft N 300 ft (W 1/2)		Outlots in 4-102-18	1,020.00
Barbara Langan Revocable Family Trust 34.820.0934	E 1/2 OL 7 & 8 exc S 150 ft W 54 ft (E 1/2)		Outlots in 4-102-18	1,198.00
Barbara Langan Revocable Family Trust 34.820.0934	E 1/2 OL 7 & 8 exc S 150 ft W 54 ft (W 1/2)		Outlots in 4-102-18	1,198.00
Wolfgang Baumann 34.875.0055	SW 1/4 NE 1/4 SE 1-90 & 2.57 Ac SW Cor SE 1/4 NE 1/4		Section 5-102-18	2,889.32
Wolfgang Baumann 34.875.0055	NW 185' from the NE cor of Lot 5 to POB then NW 185' along street ROW		Section 5-102-18	2,889.32
Douglas and Tammy Rysavy 34.879.0080	E 1/2 of the E 10 ac NW 1/4 SW 1/4		Section 9-102-18	\$2,087.50

Total Assessment \$
Prepayment

RESOLUTION NO.

**RESOLUTION DECLARING COST TO BE ASSESSED
AND ORDERING PREPARATION OF PROPOSED ASSESSMENT**

WHEREAS, the City Council has approved the project for deferred water improvements.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF AUSTIN,
MINNESOTA:**

1. The portion of the cost to be assessed against the benefited property owners is declared to be \$55,206.90.
2. Assessments shall be payable in equal annual principal installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 2022, and shall bear interest at the rate of 3.5% per annum from August 10, 2021.
3. The City Clerk, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and shall file a copy of such proposed assessment in the City Clerk's Office for public inspection.
4. The City Recorder shall upon completion of such proposed assessment, notify the Council thereof.

Passed by the Austin City Council this 6th day of July, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

RESOLUTION NO.

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed on all objections to the proposed assessment for the following local improvement:

Deferred Water Improvements

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF AUSTIN, MINNESOTA:**

1. Such proposed assessment, a copy which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement and the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual principal installments extending over ten (10) years, the first of the installments to be payable on the first Monday in January 2022 and shall bear interest at the rate of 3.5 percent per annum. The first installment shall be added interest on the entire assessment from August 10, 2021 until December 31, 2022. To each subsequent installment when due shall be added interest one (1) year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, except that no interest shall be charged if the entire assessment is paid by August 10 of the assessing year. The remaining principal balance may be paid at any time to the City Clerk with interest accrued to December 31st of the payment year.
4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax list of the County and such assessment shall be collected and paid over the same manner as other municipal taxes.

Passed by the Austin City Council this 6th day of July, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

RESOLUTION NO.

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed on all objections to the proposed assessment for the following local improvement:

Deferred Sanitary Sewer Improvements

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, MINNESOTA:

1. Such proposed assessment, a copy which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement and the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual principal installments extending over ten (10) years, the first of the installments to be payable on the first Monday in January 2022 and shall bear interest at the rate of 3.5 percent per annum. The first installment shall be added interest on the entire assessment from August 10, 2021 until December 31, 2022. To each subsequent installment when due shall be added interest one (1) year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, except that no interest shall be charged if the entire assessment is paid by August 10 of the assessing year. The remaining principal balance may be paid at any time to the City Clerk with interest accrued to December 31st of the payment year.
4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax list of the County and such assessment shall be collected and paid over the same manner as other municipal taxes.

Passed by the Austin City Council this 6th day of July, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

RESOLUTION NO.

**RESOLUTION DECLARING COST TO BE ASSESSED
AND ORDERING PREPARATION OF PROPOSED ASSESSMENT**

WHEREAS, the City Council has approved the project for deferred sanitary sewer improvements.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF AUSTIN,
MINNESOTA:**

1. The portion of the cost to be assessed against the benefited property owners is declared to be \$262,792.90.
2. Assessments shall be payable in equal annual principal installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 2022, and shall bear interest at the rate of 3.5% per annum from August 10, 2021.
3. The City Clerk, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and shall file a copy of such proposed assessment in the City Clerk's Office for public inspection.
4. The City Recorder shall upon completion of such proposed assessment, notify the Council thereof.

Passed by the Austin City Council this 6th day of July, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

City of Austin
500 4th Avenue NE
Austin, MN 55912
507-437-9940
www.ci.austin.mn.us



Tricia Wiechmann
Human Resources Director
507-437-9942
twiechma@ci.austin.mn.us

MEMORANDUM

TO: Mayor & City Council

FROM: Tricia Wiechmann
Human Resources Director/HRC Liaison

RE: Human Rights Commission Commissioner Removal

DATE: June 29, 2021

On a vote of 8-0, the Human Rights Commission members voted at their June 28, 2021 regular monthly meeting, to recommend to the City Council, the removal of Commissioner Dan Mueller from the Human Rights Commission.

This request is due to his recent involvement with several different groups whose mission doesn't align with that of the Human Rights Commission's values and mission. It is believed that his involvement undermines the credibility and effectiveness of the Austin Human Rights Commission.

Thank you for your consideration.

City of Austin
Zoning Department



500 Fourth Avenue N.E.
Austin, Minnesota 55912-3773
Phone: 507-437-9950
Fax: 507-437-7101
www.ci.austin.mn.us

Memorandum

To: Mayor and City Council

Cc: Ayele Folly & Kossi Soudi
1001 4th Ave NE, Austin, MN 55912

From: Holly Wallace, Planning & Zoning Administrator

Re: Accumulation of Refuse and Junk
At 1001 4th Ave NE, Miller Property

Date: July 2, 2021

May I ask the City Council to approve granting the Planning & Zoning Department the power to contract for the removal of refuse and junk at 1001 4th Ave NE. The property owner has been notified of this violation to the City Code Sections 10.14 Subd.1(B), 10.14 Subd.4-6 but has failed to resolve this issue. (See Attached)

Therefore, I am requesting the Mayor and City Council to approve empowering the Planning & Zoning Department to act on the removal of this junk. Such action is permitted by the City Code Section 10.14.

Thank You

**City of Austin
Zoning Department**



**500 Fourth Avenue N.E.
Austin, Minnesota 55912-3773
Phone: 507-437-9950
Fax: 507-437-7101
www.ci.austin.mn.us**

June 11th, 2021

Ayele Folly & Kossi Soudi
1001 4th Ave NE
Austin, MN 55912

RE: Zoning Violations at 1001 4th Ave NE Austin, MN 55912

Dear Ayele & Kossi:

The City of Austin Planning and Zoning Department has observed a violation of City Code on your property. An investigation of this complaint was conducted on June 11th, 2021 at this site and the following issues need to be resolved:

1. Remove all junk from property

The violation of Austin City Code Sections 10.14 Subd.1(B) 4 and 10.14 Subd.4-6 were found. These City Code sections read as follows:

City Code Section 10.14, Subd. 1(B):

JUNK. All scrap metal, rags, batteries, paper, trash, rubber tires, debris, waste, wood, and/or construction materials not used in connection with a building or which is carried as inventory in an on-going construction business at a lawful place of business, dismantled vehicles, machinery and appliances or parts thereof and parts of vehicles, glass, tinware, plastic, aluminum and/or steel cans, old or discarded household goods, household furnishings or furniture, hardware or appliances. Neatly stacked firewood located so as to comply with the setback requirements as set forth in Chapter 11 and in accordance with side yard or rear yard setback requirements shall not be considered junk.

City Code Section 10.14, Subd. 4. *Notice and abatement.*

B. *Public nuisances affecting health*

5. Accumulations of manure, refuse or other debris;

D. *Public nuisances affecting peace and safety.*

16. Accumulations in the open of discarded or disused machinery, household appliances, automobile bodies or other material in a manner conducive to the harboring of rats, mice, snakes or vermin, or the rank growth of vegetation among the items so accumulated, or in a manner creating fire, health or safety hazards from accumulation;

City Code Section 10.14, Subd. 4(E-G)

NOTICE AND ABATEMENT.

E. Whenever a public officer or other person charged with enforcement determines that a public nuisance is being maintained or exists on premises in the City, the City enforcement officer shall notify in writing the owner or occupant of the premises of such fact and order that such nuisance be terminated and abated.

F. The notice shall be served in person or by certified or registered mail. If the premises are not occupied and the owner is unknown, the notice may be served by posting it on the

premises. The notice shall specify the steps to be taken to abate the nuisance and the time, not exceeding ten (10) days, within which the nuisance is to be abated.

G. If an emergency exists that presents an immediate danger to citizens affecting their safety, the officer shall require immediate abatement of such nuisance. If the notice is not complied with within the time specified, the enforcing officer shall report that fact forthwith to the Council and may take such other appropriate action as may be necessary. The Council may, after notice to the owner or occupant, provide for the abating of the nuisance by the City.

City Code Section 10.14, Subd. 5:

RECOVERY OF COST. The owner of the premises on which a nuisance has been abated by the City shall be personally liable for the cost to the City of the abatement, including administrative costs. As soon as the work has been completed and the cost determined, the City Recorder shall prepare a bill for the cost and mail it to the owner. There upon, the amount shall be immediately due and payable at the Office of the City Recorder. Ownership shall be presumed to be the owner as shown on the records of the County Treasurer unless the City Recorder has reason to know that such information is not accurate, in which event, notice shall be given to such other person as the City Recorder has reason to believe is, in fact, the true owner of said premises.

City Code Section 10.14, Subd. 6:

ASSESSMENT. If the cost of abating said nuisance is not paid in full to the City Recorder before September 1, next, then on or before September 1, next, following the abatement of the nuisance, the City Recorder shall list the total unpaid charges along with other such charges, as well as other charges for current services to be assessed under Minnesota Statutes 429.101 against each separate lot or parcel to which charges are attributable. The Council may then spread the charges against such property under that statute and other pertinent statutes for certification to the County Auditor and collection along with current taxes the following year or in annual installments, not exceeding ten (10), as the Council may determine in each case.

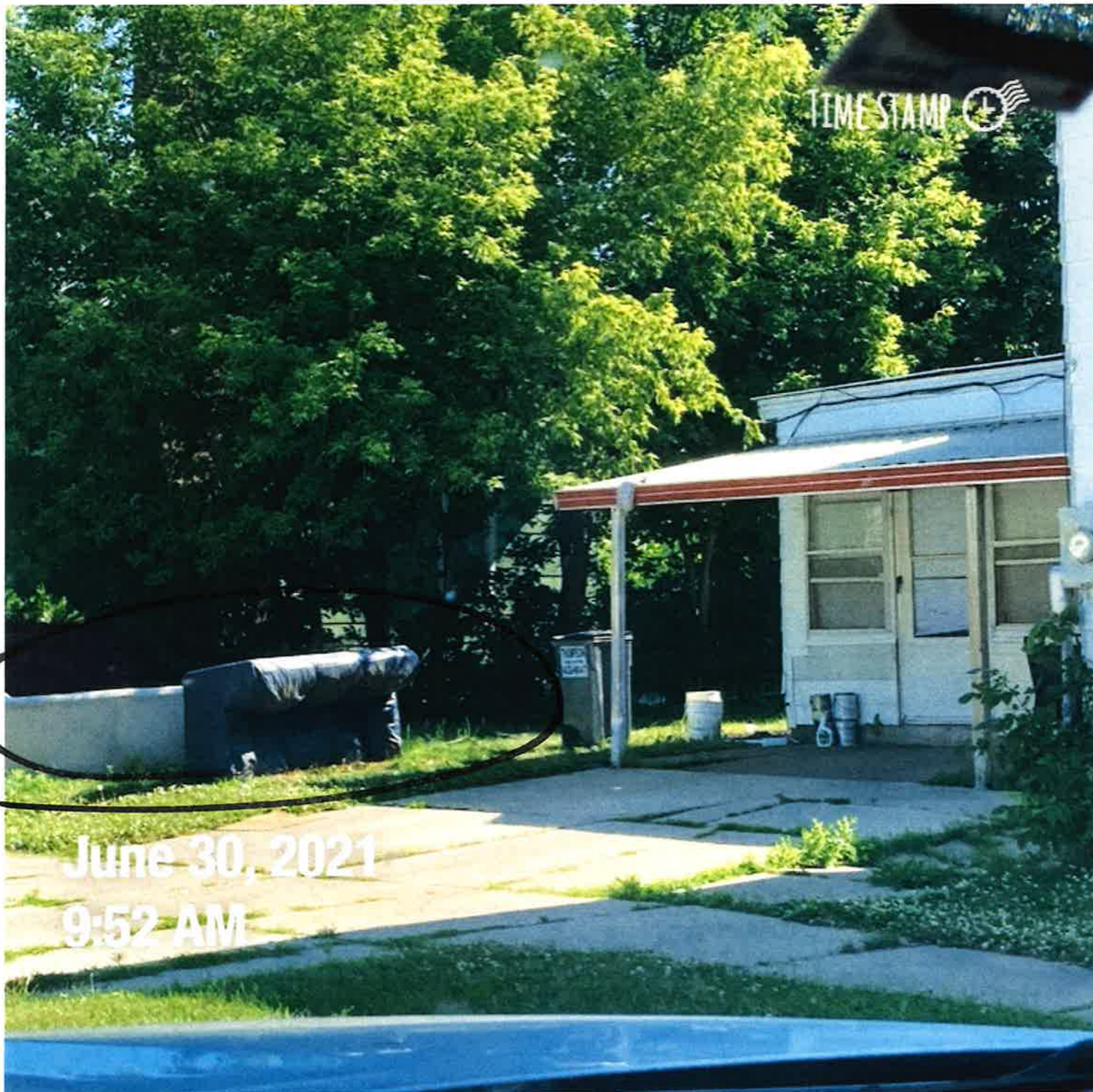
Please resolve the City Code violations within **10 days** of the date of this letter, or the matter will be referred to the Austin City Council for corrective action. Council generally meets the first and third Mondays of every month. You will be fined a minimum of \$100, the amount varies depending on the type of violations.

Your cooperation with this matter will be greatly appreciated, and if you have any questions, please call me at my office at (507)437-9950.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent Johnson", with a stylized flourish at the end.

Brent Johnson
Zoning Inspector



TIMESTAMP

June 30, 2021
9:52 AM

1001 4th Ave NE

**City of Austin
Zoning Department**



**500 Fourth Avenue N.E.
Austin, Minnesota 55912-3773
Phone: 507-437-9950
Fax: 507-437-7101
www.ci.austin.mn.us**

Memorandum

To: Mayor and City Council

Cc: Miller R&R LLC
713 4th Ave NE, Austin, MN 55912

From: Holly Wallace, Planning & Zoning Administrator

Re: Accumulation of Refuse and Junk
At 713 4th Ave NE, Miller Property

Date: July 2, 2021

May I ask the City Council to approve granting the Planning & Zoning Department the power to contract for the removal of refuse and junk at 713 4th Ave NE. The property owner has been notified of this violation to the City Code Sections 10.14 Subd.1(B), 10.14 Subd.4-6 but has failed to resolve this issue. (See Attached)

Therefore, I am requesting the Mayor and City Council to approve empowering the Planning & Zoning Department to act on the removal of this junk. Such action is permitted by the City Code Section 10.14.

Thank You

**City of Austin
Zoning Department**



**500 Fourth Avenue N.E.
Austin, Minnesota 55912-3773
Phone: 507-437-9950
Fax: 507-437-7101
www.ci.austin.mn.us**

June 22nd, 2021

MILLER R&R LLC
713 4th Ave NE
Austin, MN 55912

RE: Zoning Violations at 713 4th Ave NE, Austin, MN 55912

Dear Sir or Madam:

Remove the Junk on the property between the business and the residential dwelling, this is a repeat offense which will go to council for cleanup also you will receive the \$100 fine the first Monday of July, 2021.

Your cooperation with this matter will be greatly appreciated, and if you have any questions, please call me at my office at (507)437-9950.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent Johnson", written in a cursive style.

Brent Johnson
Zoning Inspector

