

A G E N D A
CITY COUNCIL MEETING
MONDAY, OCTOBER 4, 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 September 20, 2021
- 3. Recognitions and Awards
- (mot) 4. *Consent Agenda

Claims:

- a. Pre-list of bills
- b. Credit Card and Financial Reports.

PUBLIC HEARINGS:

- 5. Public hearing on Turtle Creek 2 sanitary sewer assessments.
 - (res) a. Declaring the cost of the assessments.
 - (res) b. Adopting the assessment roll.
- 6. Public hearing on assessments for miscellaneous sidewalk and driveway projects.
 - (res) a. Declaring the cost of the assessments.
 - (res) b. Adopting the assessment roll.
- 7. Public hearing on assessments for snow removal.
 - (res) a. Adopting assessment roll
- 8. Public hearing on assessments for garbage and junk removal.
 - (res) a. Adopting assessment roll.
- 9. Public hearing on assessments for weed and grass removal.
 - (res) a. Adopting assessment roll.
- 10. Public hearing on assessments for administrative citations.
 - (res) a. Adopting the assessment roll – Park and Rec.
 - (res) b. Adopting the assessment roll – Zoning.
 - (res) c. Adopting the assessment roll – Rental Housing.
 - (res) d. Adopting the assessment roll – Storm Water.

- (res) 11. Public hearing on assessments for unpaid vacant property fees.
 - a. Adopting the assessment roll.
- (res) 12. Public hearing on assessments for assessing a senior deferral for sanitary sewer.
 - a. Adopting the assessment roll.
- (res) 13. Public hearing for a five-year tax abatement request petitioned by Lee and Joni Hansen.
 - a. Approve or deny tax abatement.

PETITIONS AND REQUESTS:

- (res) 14. Approving budget adjustment number 5 – fund balance usage.
- (res) 15. Approving a contract for audio visual upgrades in the Council Chambers.
- (res) 16. Authorizing the execution of a Towards Zero Deaths grant agreement.
- (res) 17. Adopting an ADA Transition Plan.
- (mot) 18. Recommending the single point bridge design option for the 4th Street NW bridge.
- (mot) 19. Granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1010 4th Avenue NW, Ruble Property.

CITIZENS ADDRESSING THE COUNCIL

REPORTS AND RECOMMENDATIONS:

City Administrator
City Council

- (mot) Adjourn to **Monday, October 18, 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
September 20, 2021
5:30 PM
Council Chambers

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

MEMBERS ABSENT:

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

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

OTHERS APPEARING ELECTRONICALLY: Austin Daily Herald

APPEARING IN PERSON: Laura Helle, Bonnie Reitz, Mary Ann Wolesky, Jeanne Sheehan

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

Moved by Council Member Postma, seconded by Council Member Baskin, approving the agenda as amended. Carried.

Moved by Council Member Oballa, seconded by Council Member Waller, approving Council minutes from September 7, 2021. Carried.

RECOGNITIONS AND AWARDS

Bonnie Reitz presented the 2022 Art Purchase Award to the City from artist Tonja Ihenfeldt. She stated Council Members Baskin and Oballa picked out the piece.

Mary Ann Wolesky stated Jeanne and Jim Sheehan also donated a painting to the Austin Public Library as part of the purchase award. Karen Hughton was the artist that created the piece. Jeanne Sheehan stated she picked the piece named "Tranquility" because she thought it represented the library.

Laura Helle thanked the City for all the City support and the community support.

CONSENT AGENDA

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

Licenses:

Mobile Business: Just Take the Cake Too, LLC, 25201 880th Avenue
Temporary Liquor: Austin Area Commission for the Arts on October 1 & 2, 2021
Tree Service: Adam B. Meyer Construction, 2907 17th Street SE

Claims:

- a. Pre-list of bills
- b. Investment Report

Carried.

BID OPENINGS AND AWARDS

The City received the following bids for residential building demolition:

Contractor	Amount
Hansen Hauling & Excavating, Inc.	\$46,000.00
Fitzgerald Excavating & Trucking	\$65,300.00
Kevitt Excavating, LLC	\$82,326.32
LinnCo., Inc.	\$120,130.00

Planning and Zoning Administrator Holly Wallace stated the bids are for the demolition of six properties. She stated one of the properties will be funded with Local Option Sales Tax because it was part of a flood buyout.

Moved by Council Member Fischer, seconded by Council Member Waller, adopting a resolution awarding the bid for residential building demolition to Hansen Hauling & Excavating, Inc. Carried 7-0.

PUBLIC HEARINGS

A public hearing was held for a proposed tax abatement for Bigelow & Lennon Construction for a proposed property at 2102 14th Avenue NE in the estimated value of \$299,000. City Administrator Craig Clark stated the application met the City's requirements for tax abatement.

There were no public comments.

Moved by Council Member Fischer, seconded by Council Member Poshusta, adopting a resolution approving a five year tax abatement for Bigelow & Lennon Construction. Carried 7-0.

A public hearing was held for a proposed tax abatement from Justin O'Donnell for a proposed property at 2904 7th Street NE in the estimated value of \$400,000. City Administrator Craig Clark stated the application met the City's requirements for tax abatement.

There were no public comments.

Moved by Council Member Fischer, seconded by Council Member Baskin, adopting a resolution approving a five year tax abatement for Justin O'Donnell. Carried 7-0.

PETITIONS AND REQUESTS

Director of Administrative Services Tom Dankert requested the Council adopt the property tax levy and proposed budget for 2022. He stated the tax levy is proposed at \$7,940,000 and may not increase after September 30th. The proposed budget was set at \$38,949,960. Mr. Dankert set the Truth in Taxation hearing for December 8, 2021 at 6 p.m.

Moved by Council Member Fischer, seconded by Council Member-at-Large Austin, adopting a resolution setting the proposed tax levy and budget for 2021. Carried 7-0.

Public Works Director Steven Lang stated the City has evaluated the need for a stop sign at 1st Avenue & 2nd Street SE as part of the recent street reconstruction project. He stated a westbound 1st Avenue stop sign at 2nd Street is not necessary and that a 2-way stop for north and south bound traffic would be sufficient on 2nd Street.

Moved by Council Member Poshusta, seconded by Council Member Fischer, removing a stop sign at 1st Avenue & 2nd Street SE. Carried.

Administrative Services Director Tom Dankert requested the Council approve a City sponsorship agreement with the Community Band. This would allow the Community Band to apply for additional grant funding from the Southeastern Minnesota Arts Council.

Moved by Council Member Fischer, seconded by Council Member Baskin, adopting a resolution approving a fiscal sponsorship agreement for the Community Band. Carried 7-0.

Moved by Council Member Postma, seconded by Council Member Poshusta, adopting a resolution accepting donations to the City of Austin. Carried 7-0.

City Administrator Craig Clark stated Duane Rasmussen is donating a decorative street clock to the City in the estimated value of \$19,460. The City would pay for half of the installation and electrical work and it would be installed at City Hall.

Moved by Council Member Postma, seconded by Council Member Baskin, adopting a resolution accepting the donation of a decorative clock and authorizing its installation at City Hall. Carried 7-0.

Public Works Director Steven Lang requested the Council approved an amendment to the contract with SEH for the design and bidding of the Waste Water Treatment Plant. The original contract was in the amount of \$3,636,000 but delays will require an additional \$182,871 to complete the project. Funding for the project would be split between the domestic and industrial plant budgets.

Moved by Council Member Fischer, seconded by Council Member Waller, adopting a resolution authorizing an amendment to a contract with SEH for the design of the Waste Water Treatment Plant. Carried 7-0.

Planning and Zoning Administrator Holly Wallace stated Bruce and Anita Baudler are requesting a minor lot subdivision for a lot at 1400 4th Street NW to facilitate the sale or development of the lot. The City required an agreement which limits the access off 4th Street NW. Ms. Wallace requested approval of the minor subdivision.

Council Member Postma asked about the agreement on the 4th Street access.

City Attorney Craig Byram stated the City wanted to limit access to the parcels to one single driveway directly across from the existing avenue.

Moved by Council Member-at-Large Austin, seconded by Council Member Oballa, adopting a resolution authorizing a lot split request for Bruce and Anita Baudler. Carried 7-0.

Planning and Zoning Administrator Holly Wallace stated the City received an application from William Starman for a variance from the City Code requirement for square footage of accessory structures to allow a 495 square foot solar panel. Mr. Wallace stated the solar panel would exceed the square foot allowance by about 751 square feet. The Planning Commission reviewed the matter and their September 14, 2021 meeting and recommended approval by a 6-0 vote.

Moved by Council Member Postma, seconded by Council Member Baskin, approving a solar variance request from William Starman. Carried.

Moved by Council Member Fischer, seconded by Council Member Baskin, adopting a resolution declaring the property as 1006 5th Avenue NE as hazardous structure. Carried 7-0.

Moved by Council Member Fischer, seconded by Council Member Waller, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1405 28th Avenue NE, Advanced Building Property. Carried.

Moved by Council Member Baskin, 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 1802 3rd Street NE, Andree Property. Carried.

Moved by Council Member Postma, seconded by Council Member Baskin, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 501 13th Avenue SW, Enfield Property. Carried.

Moved by Council Member Oballa, 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 909 3rd Avenue NW, Greene Property. Carried.

Moved by Council Member Fischer, seconded by Council Member Baskin, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1921 Oakland Avenue East, Ruble Property. Carried.

REPORTS

Council Member Postma stated he attended the Karenni celebration at Todd Park.

Council Member-at-Large Austin stated he took part in the bike tour of the immigrant businesses in town.

Council Member Oballa appreciated the community support of Welcoming Week.

Mayor King thanked group for putting on Welcoming Week.

Moved by Council Member Fischer, seconded by Council Member Oballa, adjourning the meeting to October 4, 2021. Carried.

Adjourned: 6:04 p.m.

Approved: October 4, 2021

Mayor: _____

City Recorder: _____

RESOLUTION NO.

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

WHEREAS, the City Council has approved the project for sanitary sewer improvements in the Turtle Creek 2 area.

**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 \$37,375.00.
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 4% per annum from November 1, 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 4th day of October, 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:

Turtle Creek 2 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 4 percent per annum. The first installment shall be added interest on the entire assessment from November 1, 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 October 31 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 4th day of October, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

61 extra days
Fund -49480.4204

Resolution No.

Turtle Creek 2
Sanitary Sewer Project
Interest at 4% starting November 1, 2021
10 years

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total Amount</u>
Melissa Weis 34.822.0070	OLS NW¼ Sec. 5, NE¼ Sec. 6 02064 OL 5 & ½th Int. in OL'S A, B, C, D & Common Area		6-102-18	14,950.00
Laura Fisher 34.822.0111	OLS NW¼ Sec. 5, NE¼ Sec. 6 02064 OL 10 Exc. N. 50' OL 11 & OL 12 Exc. S. 20' & Adj. OL E (Common Area)		6-102-18	14,950.00
Kent & Jane Osboe 34.822.0130	OLS NW¼ Sec. 5, NE¼ Sec. 6 02064 OLS 13 & 14 & S. 20' OL 12 & Adj. OL E. (Common Area)		6-102-18	7,475.00

Total Assessment: \$37,375.00

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:

2020-2021 Miscellaneous Sidewalk and Driveway Projects

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Austin, Minnesota that:

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 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 from November 1, 2021. The first installment shall be added interest on the entire assessment from November 1, 2021 until December 31, 2022. To each subsequent installment when due shall be added interest one 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 October 31st 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 a vote of yeas and nays this 4th day of October, 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 miscellaneous sidewalk and driveway projects.

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 \$6,207.22.
2. Assessments shall be payable in equal annual 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 November 1, 2021.
3. The City Recorder, 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 Recorder's Office for public inspection.
4. The City Recorder shall upon completion of such proposed assessment, notify the Council thereof.

Passed by a vote of yeas and nays this 4th day of October, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

61 Extra Days
Fund – 49000
Code 49000.4204

Resolution No.

Miscellaneous Sidewalk and Driveway Improvements
Interest at 3.5% starting November 1, 2021
10 years

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
Vincent & Mary Lynch 34.070.0360	Lot 21	11	Bel Air 2nd	\$795.14
Molly Kral 34.070.0380	Lot 23	11	Bel Air 2nd	\$896.40
Dennis & Bridget Dahle 34.100.0581	E32ft W76ft N1/2 Lot 7, & E32ft W76ft Lots 10 & 11	8	Bolcolms	\$867.00
Carmon Siewert 34.190.1300	Outlot 64 Exc N 150 ft		Decker Acres	\$1,147.00
Kelly Anderson & Chris Soucek 34.265.0020	W 44.43 ft Lot 2	1	Galloway 2nd	\$860.70
Greg & Lisa Chelberg 34.360.0150	Lot 4	2	Kenevan & Kings	\$1,067.80
Thomas and Terrie Leake 34.540.0020	Lot 3 & N35 ft Lots 1 & 2	1	Old Oaks 1st	\$431.73
John & Ellen Jo Mueller 34.720.0050	Lot 5	1	Stubbee	\$141.45
			Total Assessment Prepayments Balance to Assess	\$6,207.22

RESOLUTION NO.**RESOLUTION ADOPTING 2021 ASSESSMENTS FOR SNOW REMOVAL**

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for snow removal.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Austin, Minnesota that:

1. Such proposed assessment, a copy which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment made to defray the expenses for removal of snow from the sidewalks in front of and adjacent to the premises named therein and that the amount of such expense shall constitute and be a lien in favor of the City of Austin and against the land involved hereby considered and passed.
2. Such assessment shall be payable in one installment to be payable on the first Monday in January 2022, and shall bear interest at the rate of 3.5 percent per annum. This installment shall be added interest on the entire assessment from November 1, 2021 through December 31, 2022.
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 October 29, 2021.
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 a vote of yeas and nays this 4th day of October, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

Snow Removal Assessment
2021
Interest at 3.5% starting November 1, 2021
1 year

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition/Section</u>	<u>Total</u>
Evan & Katherine Larson 34.065.0094	E. 182.12' N. 261.29' & W.52' S.230' N.2 48' of Vacated Street Adj.	3	Bel-Air 1st	65.00
Jacob Hiegel 34.140.0040	Lot 2	1	Cedar View	96.20
Corey Cambern 34.437.0030	Lot 3	1	Milbrath	232.60
Harouna Camara 34.460.0710	Lots 6 & 7 Exc. E. 8' Lot 7	10	Morgans	178.55
William Boyenga 34.620.0540	Lot 13	4	Rochford	199.20
Randy Blaser 34.790.0280	Lot 5 & 6	3	Woodlawn Park	205.00
Brian Ward 34.795.0460	Lot 5	4	Yates & Lewis	148.65
Suzanne Iverson 34.795.0560	Lots 1 & 2	5	Yates & Lewis	200.05
John & Dereen Ernst 34.795.1010	Lot 9	10	Yates & Lewis	223.00
Richard Springsteel 34.820.0470	W ½ Outlots 4 & 5	5	4-102-18	344.10

Total Assessment
Prepayments
Balance to be Assess

\$1,892.35

RESOLUTION NO.**2021 ASSESSMENT FOR ABATING THE NUISANCE OF
GARBAGE & DEBRIS**

WHEREAS, pursuant to City Code Chapter 10.01, Subdivision 6, the Planning and Zoning Administrator of the City of Austin has heretofore given due notice to the property owner whose land is hereinafter described that garbage, junk and debris was placed upon the property hereinafter described, and that said garbage, junk and debris was not removed within the required time as stated in the notice; and

WHEREAS, said garbage and debris was not removed within said time and said Planning and Zoning Administrator caused the same to be removed and has made his report to the City of Austin as to the expense of such removal and such expense has been paid by the City of Austin.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Austin that:

1. Such proposed assessment, a copy which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment and that the amount of such expense shall constitute and be a lien in favor of the City of Austin and against the land involved hereby considered and passed.
2. Such assessment shall be payable in one installment to be payable on the first Monday in January 2022, and shall bear interest at the rate of 3.5 percent per annum. This installment shall be added interest on the entire assessment from November 1, 2021 until December 31, 2022.
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 October 29, 2021.
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 a vote of yeas and nays this 4th day of October, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

61 Extra Days
Fund - 11
Code -

Garbage & Junk Removal Assessment
2021
Interest at 3.5% starting November 1, 2021
1 year

Resolution No.

Page 1

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition/Section</u>	<u>Total</u>
Jason Luna 34.190.3370	N½ Out Lot 171		Decker Acres	\$92.44
Dustin & Crystal Dennison 34.285.0440	W. 27' Lot 5	6	Goebel	\$952.85
Cheryl & Kevin Shaw 34.340.1070	Lots 12 & 13 & E½ Old RR RT Way Adj. on West & Running to Cntr Line 14th Ave. S.E.	9	Kaufman 2nd	\$108.90
Eng Tat Ng 34.385.0320	E½ Lots 1 & 2	3	Lake Park	\$81.95
William & Deborah Wakefield 34.520.1180	N. 50' Lots 18, 19, 20 Exc. RR	6	Oak Park	\$1,022.72
Juan Alejo 34.600.2600	Lot 18	23	Railroad	\$119.88
Zachary Wilder 34.620.0940	Lot 6	6	Rochford	\$147.31
Hector Serrano Maldonado 34.795.1470	W½ Lots 5 & 6	14	Yates & Lewis	\$86.95

Total Assessment	\$2,613.00
Prepayments	
Balance to be Assess	

RESOLUTION NO.**ADOPTING 2020 -2021 ASSESSMENTS FOR WEED & GRASS CUTTING**

WHEREAS, the Weed Inspector of the City of Austin has heretofore given due notice to the property owners whose land is hereinafter described that noxious weeds and shrub and bush obstructions are growing upon the property hereinafter described, in the form provided by the Commissioner of Agriculture, and that said weeds must be cut down or eradicated within seven days from the issuance of the notice; and

WHEREAS, said weeds were not cut down, destroyed or eradicated within said time and said Weed Inspector caused the same to be cut down or otherwise destroyed or eradicated, and has made his/her report to the City of Austin as to the expense of such eradication and such expense has been paid by the City of Austin; and

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met and heard and passed upon all objections to the proposed assessment for weed removal.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Austin that:

1. Such proposed assessment, a copy which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment made to defray the expenses for the cutting of weeds and grass on the premises named therein and that the amount of such expense shall constitute and be a lien in favor of the City of Austin and against the land involved hereby considered and passed.
2. Such assessment shall be payable in one installment to be payable on the first Monday in January 2022, and shall bear interest at the rate of 3.5 percent per annum. This installment shall be added interest on the entire assessment from November 1, 2021 until December 31, 2022.
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 October 29, 2021.
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 a vote of yeas and nays this 4th day of October, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

61 Extra Days
Fund – 11
Code - 43260-4202

Resolution No.

Grass & Weed Mowing Assessment
2021
Interest at 3.5% starting November 1, 2021
1 year

Page 1

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
Marilee Benson 34.075.0530	Lot 5	17	Bel-Air 3rd	150.00
Jonathan C. Luchsinger 34.120.0240	Lot 10 Exc. Hwy.	2	Carlotto	150.00
MNNIC 1701 Trust 34.160.0220	Lot 11	2	Crane 1st	460.63
Shawn Clow 34.165.0060	Lot 7	1	Crane 2nd	150.00
Jimmie & Evelyn Allgood 34.165.0070	Lot 8	1	Crane 2nd	150.00
RPD Properties, LLC 34.165.0090	Lot 10	1	Crane 2nd	192.50
Eric & Elinore Bublitz 34.165.0680	Lot 34	3	Crane 2nd	140.00
Marvin Anderson 34.190.0220	S½ Out Lot 11		Decker Acres	192.50
RPD Properties, LLC 34.190.1290	N. 150' Out Lot 64		Decker Acres	160.00
Grace Ann Trowbridge 34.235.0560	Lot 8	4	Elmhurst	150.00
Donald & Diane Schuette 34.335.0150	Lot 9	2	Kaufman	150.00
Ryan Gappa 34.365.0490	Lot 23	3	Kenwood Park	128.75
Better Home Real Estate LLC 34.385.0990	Lot 1	8	Lake Park	192.50

61 Extra Days
Fund – 11
Code - 43260-4202

Grass & Weed Mowing Assessment
2021
Interest at 3.5% starting November 1, 2021
1 year

Resolution No.

Page 2

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
Keith & Stephany Oldenkamp 34.440.0331	Lot 4	4	Miller Ellis	140.00
Lakeside Properties of Austin, LLC 34.447.0010	Lot 1	1	Milwaukee Round House	300.00
William & Deborah Wakefield 34.520.1180	N. 50' Lots 18, 19, 20 Exc. RR	6	Oak Park	150.00
Pamela Billings 34.595.0060	Lot 6	1	Plunkett Subdivision	440.00
John & Doreen Ernst 34.600.0040	N½ Lot 1	3	Railroad	150.00
Jacob Heigel 34.600.0280	Lot 1	5	Railroad	150.00
Robert J. Werner 34.600.0790	Lot 8 Exc. N. 70'	9	Railroad	300.00
Daniel Hegna 34.600.0940	Lot 6	10	Railroad	150.00
Craig Jackel 34.661.0074	Lot 13	2	South Pointe	160.63
Shane Greenlee 34.725.0500	Lot 6	4	Sunland	160.63
Anthony A. Madrigal & Sonya Hernandez 34.790.0410	Lot 4	4	Woodlawn Park	150.00
Brian Ward 34.795.0460	Lot 5	4	Yates & Lewis	128.75
John & Doreen Ernst 34.795.1010	Lot 9	10	Yates & Lewis	150.00

61 Extra Days
Fund – 11
Code - 43260-4202

Resolution No.

Grass & Weed Mowing Assessment
2021
Interest at 3.5% starting November 1, 2021
1 year

Page 3

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
David Milton 34.795.4700	Lot 4	40	Yates & Lewis	192.50
Paul Ellis Etux 34.860.0220	.33 Ac. E½ SW¼ NE¼		2-102-18	140.00
Spirit Bear Mission NAPC 34.916.0220	Out Lot 11 Exc. 1 Ac. & S½ Out Lot 12		Ramsey Park 26-103-18	590.00
Edward Grzechowiak 34.916.0221	Out Lots 08038 N½ Out Lot 12 .16 Ac.		Ramsey Park 26-103-18	535.00
Harlan Griesse 34.916.0250	E. 120' S. 300' Out Lot 13 NW¼ NE¼ .83 Ac.		Ramsey Park 26-103-18	485.00
Bernadette Stephens 34.916.0300	SE¼ Out Lot 14 .58 Ac.		Ramsey Park 26-103-18	458.75
			TOTAL ASSESSMENT	\$7,298.14

RESOLUTION NO.**RESOLUTION ADOPTING ASSESSMENTS FOR ADMINISTRATIVE
CITATIONS – PARK AND REC**

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for administrative citations in Austin.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Austin, Minnesota that:

1. Such proposed assessment, a copy which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment made to defray the expenses for administrative citations and that the amount of such expense shall constitute and be a lien in favor of the City of Austin and against the land involved hereby considered and passed.
2. Such assessment shall be payable in equal annual installments extending over one (1) year, to be payable on the first Monday in January 2022, and shall bear interest at the rate of 3.5 percent per annum. This installment shall be added interest on the entire assessment from November 1, 2021 through December 31, 2022.
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 October 29, 2022. The remaining principal balance may be paid at any time to the City Clerk with interest accrued to December 31st to 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 a vote of yeas and nays this 4th day of October, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

61 Extra Days

Resolution No.

Code – 45010.5011

2021 Administrative Citations – Park and Rec
Interest at 3.5% starting on November 1, 2021
1 year

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition/Section</u>	<u>Total</u>
Marilee Benson 34.075.0530	Lot 5	17	Bel-Air 3rd	100.00
Padah LLC 34.095.0100	Lot 5 & S. 37.2' Lot 4	2	Berry	150.00
MNNIC 1701 Trust 34.160.0220	Lot 11	2	Crane 1st	500.00
Shawn Clow 34.165.0060	Lot 7	1	Crane 2nd	175.00
Jimmie & Evelyn Allgood 34.165.0070	Lot 8	1	Crane 2nd	125.00
Marvin Anderson 34.190.0220	S½ Out Lot 11		Decker Acres	125.00
RPD Properties LLC 34.190.1290	N. 150' Out Lot 64		Decker Acres	150.00
Lisa Gustafson 34.193.0380	Lots 15 & 16	2	Dinsmoor Acres	125.00
Grace Ann Trowbridge 34.235.0560	Lot 8	4	Elmhurst	225.00
Cheryl & Kevin Shaw 34.340.1070	Lots 12 & 13	9	Kaufman 2nd	125.00
Ryan Gappa 34.365.0490	Lot 23	3	Kenwood Park	125.00
Dune Acquisitions LLC 34.365.3700	Lot 1	16	Kenwood Park	100.00
Michael & Heidi Hughes-Dodge 34.460.0250	Lots 1 & 2	5	Morgans	100.00

61 Extra Days

Resolution No.

Code – 45010.5011

2021 Administrative Citations – Park and Rec
Interest at 3.5% starting on November 1, 2021
1 year

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition/Section</u>	<u>Total</u>
William & Deborah Wakefield 34.520.1180	N. 50' Lots 18, 19, 20 Exc. R.R.	6	Oak Park	125.00
Thin Blue Line Real Estate LLC 34.575.0200	Lots 14 & 15	1	Parker & Brown	125.00
Pamela Billings 34.595.0060	Lot 6	1	Plunkett	7275.00
John & Doreen Ernst 34.600.0040	N½ Lot 1	3	Railroad	825.00
Robert J. Werner 34.600.0790	Lot 8 Exc. N. 70'	9	Railroad	450.00
Shane Greenlee 34.725.0500	Lot 6	4	Sunland	125.00
Brian Ward 34.795.0460	E. 68' Lot 5	4	Yates & Lewis	525.00
John & Doreen Ernst 34.795.1010	Lot 9	10	Yates & Lewis	1625.00
Anael Valle Hernandez 34.820.0150	Out Lot 3	2	Out Lot 4-102-18	125.00
Paul Ellis Etux 34.860.0220	.33 Ac. E½ SW¼ NE¼		2-102-18	825.00
Roger & Sons of Austin LLC 34.870.0155	W. 3 Ac. NE¼ NW¼ NE¼ Lying S. of Extended N. Line 7th Ave. N.W. 1.37 Ac.		4-102-18	100.00
NC Real Estate LLC 34.880.0270	N. 60' S. 396' W. 180' SW¼ SW¼ NW¼ .25 Ac.		10-102-18	125.00

61 Extra Days

Resolution No.

Code – 45010.5011

2021 Administrative Citations – Park and Rec
Interest at 3.5% starting on November 1, 2021
1 year

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition/Section</u>	<u>Total</u>
Bernadette Stephens 34.916.0300	SE¼ Out Lot 14		Ramsey Park 26-103-18	150.00
			TOTAL	\$14,525.00

RESOLUTION NO.**RESOLUTION ADOPTING ASSESSMENTS FOR ADMINISTRATIVE
CITATIONS – ZONING & VACANT PROPERTY**

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for administrative citations in Austin.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Austin, Minnesota that:

1. Such proposed assessment, a copy which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment made to defray the expenses for administrative citations and that the amount of such expense shall constitute and be a lien in favor of the City of Austin and against the land involved hereby considered and passed.
2. Such assessment shall be payable in equal annual installments extending over one (1) year, to be payable on the first Monday in January 2022, and shall bear interest at the rate of 3.5 percent per annum. This installment shall be added interest on the entire assessment from November 1, 2021 through December 31, 2022.
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 October 29, 2021. The remaining principal balance may be paid at any time to the City Clerk with interest accrued to December 31st to 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 a vote of yeas and nays this 4th day of October, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

61 Extra Days
Code – 41910.5011

Resolution No.

2021 Administrative Citations – Zoning Violations & Vacant Property Citations
Interest at 3.5% starting on November 1, 2021

1 year

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
Zacarias Torres Alejo 34.100.0180	Lot 5	3	Bolcoms	\$125.00
Tracy Ristau 34.100.1380	Lot 4	16	Bolcoms	\$125.00
David C. Milton 34.105.0100	Lot 12	1	Browns	\$100.00
Matthew Brede 34.105.0640	Lot 5	7	Browns	\$125.00
Lee Lindquist 34.115.1520	Lot 9	10	Martin Bustad 1st	\$250.00
Maxine Tasker 34.160.0090	Lot 9	1	Crane 1st	\$125.00
Robert Ruble 34.190.0450	Out Lot 23 Exc. N½		Decker Acres	\$1,575.00
Gregory Howe 34.190.1280	N½ Out Lot 63		Decker Acres	\$125.00
Lisa Gustafson 34.193.0380	Lots 15 & 16	2	Dinsmoor Acres	\$125.00
Dustin & Crystal Dennison 34.285.0440	W. 27' Lot 5	6	Goebel	\$400.00
Jennifer Sheehan 34.285.0550	Lot 4 Exc. E½	7	Goebel	\$100.00
Charles & Ashton Shrewsberry 34.295.0370	Lot 12	2	Gregg Johnson	\$125.00

61 Extra Days
Code – 41910.5011

Resolution No.

2021 Administrative Citations – Zoning Violations & Vacant Property Citations
Interest at 3.5% starting on November 1, 2021
1 year

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
Mina Khamphouy c/o Tony Cavy Khamphouy 34.295.0390	W. 58' Lot 14	2	Gregg Johnson	\$150.00
Daniel Hays 34.365.1140	Lot 3	6	Kenwood Park	\$125.00
Yali Ramirez 34.365.1610	Lot 24	7	Kenwood Park	\$125.00
Arvid Lau 34.365.1690	Lot 6	8	Kenwood Park	\$125.00
John Ernst 34.365.1900	Lot 27	10	Kenwood Park	\$100.00
Dennis Jones 34.365.2680	Lot 16	11	Kenwood Park	\$450.00
Matthew & Odessa Duncan 34.365.2740	Lot 22	11	Kenwood Park	\$125.00
John & Dereen Ernst 34.365.2790	Lot 1	12	Kenwood Park	\$100.00
Brock Tufte 34.365.3080	Lot 30	12	Kenwood Park	\$100.00
Paul & Callie Martell 34.385.0310	W½ Lots 1 & 2	3	Lake Park	\$100.00
Darid Soeun 34.385.0640	Lot 12	5	Lake Park	\$125.00
Richard & Kay Feibelkorn 34.385.0740	Lot 6	6	Lake Park	\$100.00

61 Extra Days
Code – 41910.5011

Resolution No.

2021 Administrative Citations – Zoning Violations & Vacant Property Citations
Interest at 3.5% starting on November 1, 2021
1 year

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
Eric Anderson 34.440.0330	Lot 3	4	Miller Ellis	\$125.00
Kelly Seberson 34.460.0180	N. 80' Lots 4 & 5	4	Morgans	\$125.00
Mahlon & Karen Schneider 34.510.0090	Out Lot 9 Exc. Tri. Pcs. In SW Cor. & NE Cor., Out Lot A & Land Adj. on W. to Cntr. Of Creek, S. of N½ NW¼		North Streverling	\$125.00
Mahlon & Karen Schneider 34.510.0090	Out Lot 9 Exc. Tri. Pcs. In SW Cor. & NE Cor., Out Lot A & Land Adj. on W. to Cntr. Of Creek, S. of N½ NW¼		North Sterverling	\$100.00
William & Deborah Wakefield 34.520.1180	N. 50' Lots 18, 19, 20 Exc. RR	6	Oak Park	\$1,250.00
Mauricio Vargas 34.550.0060	E. 65½' Lots 5 & 6	1	Olson	\$125.00
Luciana Sanchez Ledesma 34.560.0710	Lot 2	8	Orchard Park	\$125.00
Jason Demarre & Jackie Messerschmidt 34.575.0270	W½ Lots 1 & 2	2	Parker & Brown	\$125.00
Becky Erath 34.600.1211	N. 85' Lots 13 & 14	12	Railroad	\$275.00
Luis Rodriguez/Abby Rangel 34.600.1250	N. 45' Lots 1 & 2	13	Railroad	\$825.00
Miller R&R LLC 34.600.1710	Lots 14 & 15 Exc. Tri to City	16	Railroad	\$250.00

61 Extra Days
Code – 41910.5011

Resolution No.

2021 Administrative Citations – Zoning Violations & Vacant Property Citations
Interest at 3.5% starting on November 1, 2021
1 year

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
Ayele Folly & Kossi Soudi 34.600.2160	Lots 8 & 9 Exc. N. 60'	19	Railroad	\$125.00
James & Carol Arens 34.600.2190	Lots 12 & 13	19	Railroad	\$100.00
Cristina Lopez 34.600.3170	Lot 12	27	Railroad	\$125.00
Argolica LLC 34.620.0460	Lot 5	4	Rochford	\$100.00
VAM LLC 34.620.0580	Lot 17	4	Rochford	\$100.00
Terry Nystel 34.620.0590	Lot 18	4	Rochford	\$100.00
Brianna Enfield 34.620.0980	Lot 10	6	Rochford	\$125.00
Rosa Talavera Cano 34.630.0330	Lot 13	2	Schleusner & Hartson	\$125.00
Borere Batikare 34.635.0090	Lot 4	2	Shaw Acres	\$450.00
Michael Hemann 34.640.0390	Lot 26 & Tri Piece on W. Adj.	3	Slaven	\$275.00
Charles Fawver 34.785.0540	Lot 6	6	West Park	\$175.00
Benyi Atohoun 34.790.0620	W. 85' Lot 9	5	Woodlawn Park	\$100.00
Janice Marquardt 34.790.1450	Lot 9	12	Woodlawn Park	\$100.00

61 Extra Days
Code – 41910.5011

Resolution No.

2021 Administrative Citations – Zoning Violations & Vacant Property Citations
Interest at 3.5% starting on November 1, 2021
1 year

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
Gerald Guyette 34.790.1460	Lot 10	12	Woodlawn Park	\$100.00
Suzanne Iverson 34.795.0560	E½ Lots 1 & 2	5	Yates & Lewis	\$1,250.00
Mark Raimann 34.795.2830	Lot 4	25	Yates & Lewis	\$100.00
Curtis & Ersihla Optaia 34.795.3140	E. 46' Lot 9	27	Yates & Lewis	\$150.00
Ulwelling Properties III, LLC 34.795.5600	Lot 9 Exc. S. 45'	47	Yates & Lewis	\$125.00
Troy & Joscelyn Vlasaty 34.835.0220	.34 Ac. S½ S½ Out Lot 15 NW¼		11-102-18	\$100.00
Ashwin & Dipti Patel 34.860.0180	N. 50' S. 100' W. 193.22' N. 200' S. 416.78' E½ SW¼ NE¼		2-102-18	\$325.00
John Howe 34.916.0380	E. 55' N. 314.87' Out Lot 16 OLS NW¼ NE¼ .04 Ac.		Ramsey Park 26-103-18	\$100.00
			TOTAL	\$12,725

RESOLUTION NO.**RESOLUTION ADOPTING ASSESSMENTS FOR ADMINISTRATIVE
CITATIONS – RENTAL HOUSING**

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for administrative citations in Austin.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Austin, Minnesota that:

1. Such proposed assessment, a copy which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment made to defray the expenses for administrative citations and that the amount of such expense shall constitute and be a lien in favor of the City of Austin and against the land involved hereby considered and passed.
2. Such assessment shall be payable in equal annual installments extending over one (1) year, to be payable on the first Monday in January 2022, and shall bear interest at the rate of 3.5 percent per annum. This installment shall be added interest on the entire assessment from November 1, 2021 through December 31, 2022.
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 October 29, 2021. The remaining principal balance may be paid at any time to the City Clerk with interest accrued to December 31st to 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 a vote of yeas and nays this 4th day of October, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

61 Extra Days
Code – 42450.5011

Resolution No.

2021 Administrative Citations – Rental Violations
Interest at 3.5% starting on November 1, 2021
1 year

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
Linda's Laundry LLC 34.750.0010	Lot 1	1	Varcos	\$525.00
			Total Assessment	\$525.00

RESOLUTION NO.**RESOLUTION ADOPTING ASSESSMENTS FOR ADMINISTRATIVE
CITATIONS – STORM WATER VIOLATIONS**

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for administrative citations in Austin.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Austin, Minnesota that:

1. Such proposed assessment, a copy which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment made to defray the expenses for administrative citations and that the amount of such expense shall constitute and be a lien in favor of the City of Austin and against the land involved hereby considered and passed.
2. Such assessment shall be payable in equal annual installments extending over one (1) year, to be payable on the first Monday in January 2022, and shall bear interest at the rate of 3.5 percent per annum. This installment shall be added interest on the entire assessment from November 1, 2021 through December 31, 2022.
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 October 29, 2021. The remaining principal balance may be paid at any time to the City Clerk with interest accrued to December 31st to 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 a vote of yeas and nays this 4th day of October, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

61 Extra Days
Code – 43000.5112

Resolution No.

2021 Administrative Citations – Storm Water Violations
Interest at 3.5% starting on November 1, 2021
1 year

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
Mario Alfaro 34.795.0760	W½ Lot 6 & 7	6	Yates & Lewis	521.35
			Total Assessment	\$521.35

RESOLUTION NO.**RESOLUTION ADOPTING ASSESSMENTS FOR UNPAID VACANT
PROPERTY FEES**

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for administrative citations in Austin.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Austin, Minnesota that:

1. Such proposed assessment, a copy which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment made to defray the expenses for administrative citations and that the amount of such expense shall constitute and be a lien in favor of the City of Austin and against the land involved hereby considered and passed.
2. Such assessment shall be payable in equal annual installments extending over one (1) year, to be payable on the first Monday in January 2022, and shall bear interest at the rate of 3.5 percent per annum. This installment shall be added interest on the entire assessment from November 1, 2021 through December 31, 2022.
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 October 29, 2021. The remaining principal balance may be paid at any time to the City Clerk with interest accrued to December 31st to 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 a vote of yeas and nays this 4th day of October, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

61 Extra Days
Code – 41910.5011

Resolution No.

Unpaid Vacant Property Fees
Interest at 3.5% starting on November 1, 2021
1 year

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
David C. Milton 34.105.0100	Lot 12	1	Browns	120.00
John Ernst 34.365.1900	Lot 27	10	Kenwood Park	120.00
John & Dereen Ernst 34.365.2790	Lot 1	12	Kenwood Park	120.00
Brock Tufte 34.365.3080	Lot 30	12	Kenwood Park	120.00
Paul & Callie Martell 34.385.0310	W½ Lots 1 & 2	3	Lake Park	120.00
Richard & Kay Feibelkorn 34.385.0740	Lot 6	6	Lake Park	120.00
Mahlon & Karen Schneider 34.510.0090	Out Lot 9 Exc. Tri. Pcs. In SW Cor. & NE Cor., Out Lot A & Land Adj. on W. to Cntr. Of Creek, S. of N½ NW¼		North Sterverling	120.00
VAM LLC 34.620.0580	Lot 17	4	Rochford	120.00
Terry Nystel 34.620.0590	Lot 18	4	Rochford	120.00
Benyi Atohoun 34.790.0620	W. 85' Lot 9	5	Woodlawn Park	120.00
Mark Raimann 34.795.2830	Lot 4	25	Yates & Lewis	120.00
Troy & Joscelyn Vlasaty 34.835.0220	.34 Ac. S½ S½ Out Lot 15 NW¼		11-102-18	120.00
North Star Homes of Austin LLC	N. 60' NW¼ SW¼ NW¼ E. of Creek Exc. E. 70.74' .26		10-102-18	120.00

61 Extra Days
Code – 41910.5011

Resolution No.

Unpaid Vacant Property Fees
Interest at 3.5% starting on November 1, 2021
1 year

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
34.880.0310				
John Howe	E. 55' N. 314.87' Out Lot 16 OLS NW¼ NE¼ .04 Ac.		Ramsey Park 26-103-18	120.00
34.916.0380				
			Total Assessment	\$1,650.00

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:

Senior Deferral of Sanitary Sewer

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Austin, Minnesota that:

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 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 5 percent per annum from November 1, 2021. The first installment shall be added interest on the entire assessment from November 1, 2021 until December 31, 2022. To each subsequent installment when due shall be added interest one 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 October 31st 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 a vote of yeas and nays this 4th day of October, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

61 Extra Days
Code – 49480.4203

Resolution No.

Senior Deferral Sanitary Sewer Assessment
Interest at 5% starting on November 1, 2021
10 years

<u>Property Owner</u>	<u>Legal Description</u>	<u>Section/Addition</u>	<u>Total</u>
Larry Bushaw 34.916.0230	NE ¼ of OL 15 .58 Ac	Ramsey Park 26-103-18	\$21,985.11
		Total Assessment	\$21,985.11

RECEIVED

SEP 14 2021

HOUSING TAX ABATEMENT APPLICATION

(Application Period 8-1-16 through 12-31-2022)

MOWER COUNTY
ADMINISTRATOR

Property Owner / Applicant:

Lee H Hansen & Joni L Hansen

Current Address:

802 31st St NW Austin MN 55912

Telephone:

507-438-1580 / 507-440-5893

E-Mail:

j.hansen57@yahoo.com

Has applicant ever defaulted on property taxes?

☐ Yes☒ No

If Yes, provide details on separate page(s).

Are property taxes current?

☒ Yes☐ No

Proposed Project:

☒ New Construction☐ Replacement of housing unit

Project Type:

☒ Single Family☐ Duplex☐ Multi-family

Project Address:

1803 28th ST NE, Austin

Project Legal Description:

Lot 1, Block 1, Dobbins Creek Estates in NW quarter of Section 31, Township 103N, Range 17W, Austin, Mower County, MN

Parcel Number:

34-194-0010

Estimated Project Valuation:

\$ 700,000.00

Applicant Statement:

(Please provide a statement as to why you are requesting an abatement of property taxes.)

To help with initial cost to build a new home.

Attach building plans, site map, parcel information and parcel number. (Include letter of consent from property owner if subject to purchase agreement or include a copy of the purchase agreement.)

I / We as applicant(s) for the Housing Tax Abatement certify that no construction has begun or will begin prior to the taxing authority's decision on my/our application. For the purposes of this provision, construction shall include the installation of footings, slab, foundation, posts, walls or other portions of a building. Site preparation, land clearing or the installation of utilities shall not constitute construction.

Construction
Certification

Signature of Applicant(s) *Joni Hansen*

Date 9/14/21

I / We as applicant(s) for the Housing Tax Abatement submit this application having read the policy and understand the provisions as outlined including, but not limited to, the potential of a partial abatement in year one, construction must commence within one year of the approval, assessors cannot be refused access to the property for assessment purposes and the abatement is awarded following full payment of real estate taxes due annually.

Signature of Applicant(s) *Joni Hansen*

Date 9/14/21

FOR OFFICE USE ONLY: ELIGIBLE / APPLICABLE APPROVALS

Mower County

Date:

☐ City or ☐ Township of

Date:

School District of

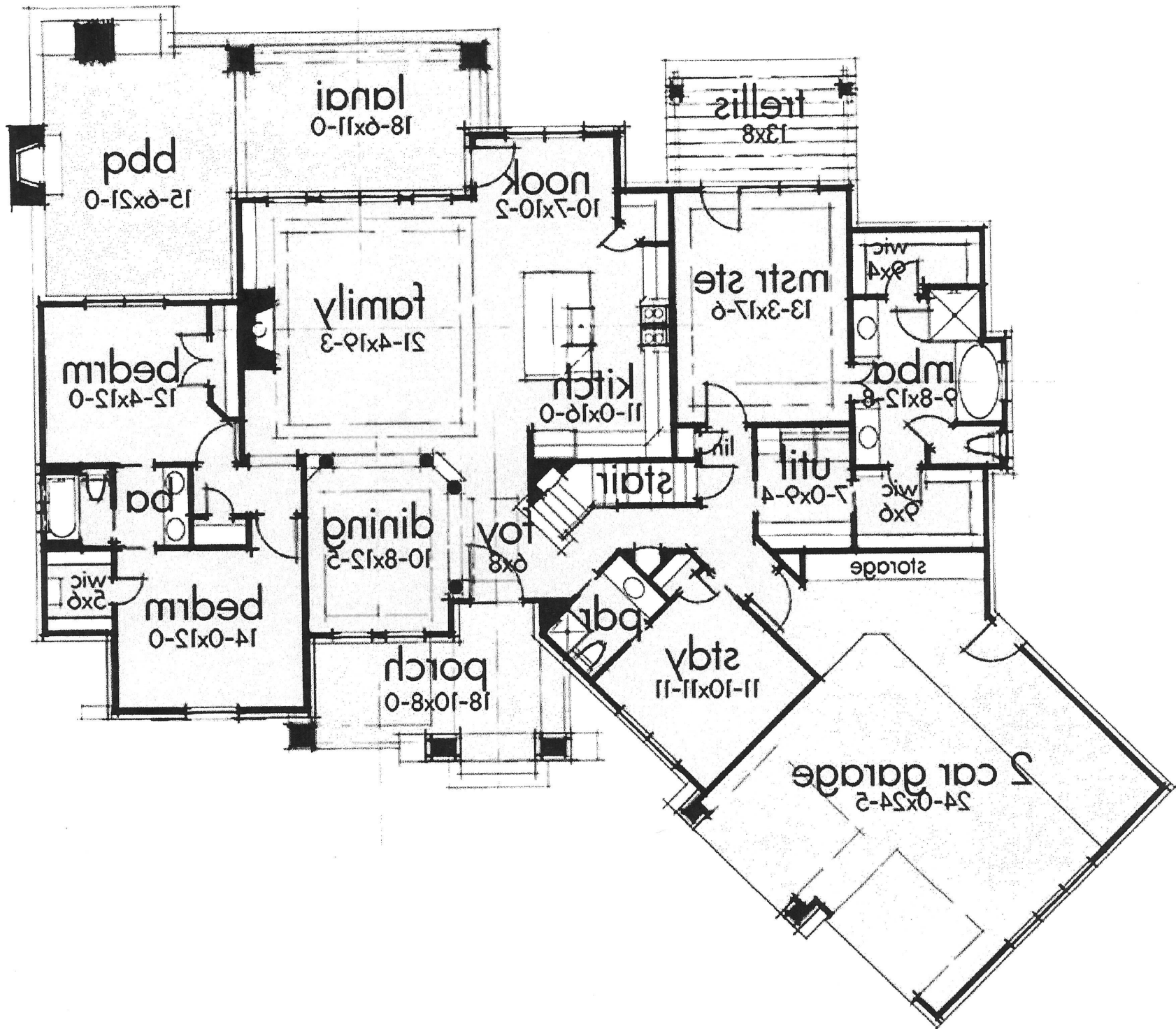
Date:

Disclaimer: Each taxing entity makes its own decision on approval or denial of application for tax abatement. Applications must comply with all requirements of the policy/program as outlined in the policy/program guidelines and build within allotted timeframe or tax abatement offer will be automatically terminated. Building cannot start until such time as all taxing entities have approved and written authorization is provided.

Please submit completed application with attachments to:

Mower County Administration
201 1st Street NE, Suite 9, Austin MN 55912
507-437-9549
Office Hours: M-F 8 a.m. – 4:30 p.m.
deniseb@co.mower.mn.us





DETAILS

TOTAL HEATED AREA:	2,150 sq. ft.
– FIRST FLOOR:	2,150 sq. ft.
– BONUS ROOM:	535 sq. ft.
– BASEMENT:	2,150 sq. ft.
– GARAGE:	648 sq. ft.
FLOORS:	1
BEDROOMS:	4
BATHROOMS:	3
GARAGES:	2 car
WIDTH:	78ft.-11in.
DEPTH:	65ft.-5in.
HEIGHT:	26ft.-9in.
FOUNDATION:	Crawlspace Foundation Slab Foundation Basement Foundation Walkout Basement Foundation
MAIN ROOF PITCH:	14:12
FRAMING:	2x6

RESOLUTION NO.

RESOLUTION APPROVING TAX ABATEMENT FOR CERTAIN PROPERTY PURSUANT TO MINN. STAT. 469.1813

WHEREAS, the Austin Home Initiative's purpose is to provide incentives to encourage the construction of new owner occupied and residential housing units within the City of Austin for the public benefit including, but not limited to, capturing future taxes from units that would not have otherwise been constructed and increasing housing inventory to support local business growth.

WHEREAS, Minnesota Statute 469.1813 gives authority to the City of Austin to grant an abatement of taxes imposed by the City if certain criteria are met; and

WHEREAS, in addition to the statutory requirements, the City of Austin has adopted the Austin Home Initiative guidelines which must be met before an abatement of taxes will be granted for residential development; and

WHEREAS, Lee H. Hansen and Joni L. Hansen are the owner of certain property within the City of Austin legally described as follows:

Lot 1, Block 1, Dobbins Creek Estates in the NW quarter of Section 31, Township 103 North, Range 17 West, City of Austin, County of Mower

WHEREAS, Lee H. Hansen and Joni L. Hansen have made application to the City of Austin for the abatement of taxes as to the above-described parcel; and

WHEREAS, Lee H. Hansen and Joni L. Hansen have met the statutory requirements outlined under Minnesota Statute 469.1813 Subdivision (1) and Subdivision 2(i) as well as the Austin Home Initiative guidelines for abatement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Austin, Minnesota:

The City of Austin does hereby grant an abatement of the City of Austin's share of real estate taxes upon the above-described parcel for the construction of a single family dwelling on the subject property.

The tax abatement will commence with the receipt of the Certificate of Occupancy, or not more than one year following approval of the taxing authority's resolution, whichever is first, and shall continue for five years.

The City shall provide the awarded abatement payments following the payment of due real estate taxes annually. Payments shall be made to the owner of record at the time of the payment.

The tax abatement shall be limited to the increase in property taxes resulting from the improvement of the property. Land values are not eligible and will not be abated.

The abatement shall be null and void if construction is not commenced within one year of the approval of this resolution or if the real estate taxes are not paid on or before the respective payment deadlines annually.

Passed by a vote of yeas and nays this 4th day of October, 2021.

Yeas

Nays

ATTEST:

APPROVED

City Recorder

Mayor

City of Austin
500 Fourth Avenue NE
Austin, Minnesota 55912-3773



Phone: 507-437-9940

www.ci.austin.mn.us

TO: Mayor and City Council
FROM: ^{TSD} Tom Dankert, Director of Administrative Services
DATE: September 14, 2021
RE: Capital projects – fund balance
U:\Word\2021\2022 Budget\Use of Fund Balance cover memo.doc

As part of the 2022 budget and capital improvement plan, we have been working internally to fund some one-time projects out of the existing fund balance of the General Fund. As you may recall, the CARES Act funds that were received in 2020 were allowed to be used for police and fire wages/benefits even though we had other budgeted revenues to cover these costs. These funds plus the net departmental savings over the years have resulted in a fund balance higher than needed/recommended by auditors and the Office of the State Auditor.

During the 2022 budget process staff and Council debated using some of these funds to balance the 2022 budget, but as Council noted using one-time money to finance ongoing operations would result in higher percentage tax levies in future years, hence the request to use the excess fund balance for one-time mostly capital projects.

Fund balance is measured each December 31. As of December 31, 2020 we had Unassigned fund balance \$12,206,746 based on 2020 expenditures of \$16,487,694, or 74%. The City's informal fund balance policy sets the range at between 42-48% of expenditures, which would indicate a fund balance of between \$6.9 and \$7.9 million. However, expenditures were down in 2020 due to Covid-19 and capital items \$650,000 were carried forward/added to the 2021 budget that will reduce the existing fund balance.

Based on these calculations we show the following excess estimate:

	<u>Amount</u>
Fund balance, 12/31/20	\$ 12,206,746
Less: Capital items added to 2021 budget	(\$ 650,000)
Net	\$ 11,556,746

This would allow us to use approximately \$3.6 million on one-time projects and then be at the top end (48%) of fund balance (based on 2020 final numbers).

To that end, we have proposed the following:

Proposed Project	Amount	Funds Transferred To
Fire truck replacement	\$ 1,500,000	Fire Fleet Fund (73000)
Library renovation match	\$ 250,000	Building Fund (48000)
Ruby Rupner siding/windows	\$ 80,000	Building Fund (48000)
Senior Center parking lot/sidewalk	\$ 80,000	Building Fund (48000)
AMC building acquisition	\$ 200,000	Building Fund (48000)
LED lighting-streets/city hall	\$ 200,000	CIP Revolving Fund (49000)
Council chambers audio/visual	\$ 50,000	Building Fund (48000)
Christmas decorations	\$ 40,000	Use of Fund Balance (11000)
Affordable housing/daycare	\$ 600,000	Building Fund (48000)
Targeted Area Redevelopment	\$ 500,000	CIP Revolving Fund (49000)
Discover Austin Tourism Initiative	\$ 120,000	Use of Fund Balance (11000)
Additional Pool sound system cost	\$ 15,000	Use of Fund Balance (11000)
Total	\$ 3,635,000	

This would allow us to use one-time fund balance for these primarily capital related projects. The improvements proposed above will allow fund balance to be used, instead of an increased tax levy for 2022 and beyond to fix/upgrade/develop areas in our community. Additionally, some of the investments (LED lighting) will reduce operating costs once completed.

What the above does not yet fund include the following:

- Nu-Tek Grow Austin commitment.
- Matching grant requirements if Federal Economic Development Administration Grant for Creekside Business Park gets approved of up to \$1.3 million.

However, we believe the ARPA funds we received in 2021 of \$1,335,040 are allowed to be used for police/fire wages/benefits under the Loss of Revenue calculation and would once again build up fund balance in 2021. An additional grant of \$1,335,040 should be received in 2022 that would be used for the same purpose, hence building up the fund balance again to be used for the above bullet points or other one-time projects as Council sees fit.

Pease let me know if you have any questions.

RESOLUTION NO.

BUDGET ADJUSTMENT #5

RESOLUTION AMENDING THE 2021 OPERATING BUDGET OF FUND 11000 GENERAL FUND, 48000 BUILDING FUND 49000 CIP REVOLVING FUND, AND 73000 FIRE FLEET FUND

WHEREAS, the City Council of the City of Austin adopted Resolution No. 16180 on December 21, 2020 approving the 2021 operating budgets for the various city operations; and

WHEREAS, the following items have been approved for funding and require an amendment to the 2021 budget:

<u>Proposed Project</u>	<u>Amount</u>	<u>Funds Transferred To</u>
Fire truck replacement	\$ 1,500,000	Fire Fleet Fund (73000)
Library renovation match	\$ 250,000	Building Fund (48000)
Ruby Rupner siding/windows	\$ 80,000	Building Fund (48000)
Senior Center parking lot/sidewalk	\$ 80,000	Building Fund (48000)
AMC building acquisition	\$ 200,000	Building Fund (48000)
LED lighting-streets/city hall	\$ 200,000	CIP Revolving Fund (49000)
Council chambers audio/visual	\$ 50,000	Building Fund (48000)
Christmas decorations	\$ 40,000	Use of Fund Balance (11000)
Affordable housing/daycare	\$ 600,000	Building Fund (48000)
Targeted Area Redevelopment	\$ 500,000	CIP Revolving Fund (49000)
Discover Austin Tourism Initiative	\$ 120,000	Use of Fund Balance (11000)
Additional Pool sound system cost	\$ 15,000	Use of Fund Balance (11000)
Total	\$ 3,635,000	

WHEREAS, generally accepted accounting principles and reporting practices call for the amendment of the adopted budget to properly reflect these authorizations:

Fund 11000 General Fund:

	<u>Debit</u>	<u>Credit</u>
49011.6540 Equipment	\$ 55,000	
46500.6319 Joint Powers Services	\$ 120,000	
49911.7773 Transfer to Fire Fleet Fund (73000)	\$ 1,500,000	
49911.7748 Transfer to Building Fund (48000)	\$ 1,260,000	
49911.7749 Transfer to CIP Revol. Fund (49000)	\$ 700,000	
41110.5490 Use of Fund Balance		\$ 3,635,000
Total General Fund	\$ 3,635,000	\$ 3,635,000

Fund 48000 Building Fund:

	<u>Debit</u>	<u>Credit</u>
48000.5401 Transfers from General Fund (11000)		\$ 1,260,000
41964.6530 Improvements Other Than Buildings	\$ 200,000	
41944.6530 Improvements Other Than Buildings	\$ 50,000	
48000.5175 Use of Fund Balance	\$ 1,010,000	
Total Building Fund	\$ 1,260,000	\$ 1,260,000

Fund 49000 CIP Revolving Fund:

	<u>Debit</u>	<u>Credit</u>
49000.5401 Transfers from General Fund (11000)	\$ 700,000	
48215.6530 Improvements Other Than Buildings		\$ 700,000
Total CIP Revolving Fund	\$ 700,000	\$ 700,000

Fund 73000 Fire Fleet Fund:

	<u>Debit</u>	<u>Credit</u>
42207.5420 Transfers from Other Funds	\$ 1,500,000	
42207.7999 Source of Fund Balance		\$ 1,500,000
Total Fire Fleet Fund	\$ 1,500,000	\$ 1,500,000

NOW THEREFORE, BE IT RESOLVED that the City Recorder shall record these authorized budget amendments upon the City's 2021 financial records and make the appropriate fund transfers.

Passed by a vote of yeas and nays this 4th day of October, 2021.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

City of Austin
500 Fourth Avenue NE
Austin, Minnesota 55912-3773



Phone: 507-437-9940

www.ci.austin.mn.us

MEMO

TO: Mayor and City Council
FROM: Tom Dankert *TD*
DATE: September 24, 2021
SUBJECT: Council Chambers Audio/Visual equipment
U:\Word\2021\Miscellaneous\Council Chambers Audio-Visual - CC.doc

At the September 7 Council work session, we reviewed bids for an upgrade to the 11-year-old system within the Council Chambers. As noted at that meeting, we received three bids for the project as follows:

- Tierney Brothers for \$137,101.58
- EPA Audio/Visual (current provider) for \$150,772.54
- Sound and Media Solutions for \$225,638.69

As was discussed at that meeting, approval was given to take the bid from the current provider (EPA Audio/Visual) even though they were not the low bidder. EPA's familiarity with the layout and wiring of the existing facility, no annual maintenance agreement (Tierney has an annual maintenance agreement while EPA just comes down and fixes any issues without a billing), and our excellent experience with them over the last 25 years leads us to believe that EPA will be able to better complete the project.

With that being said, we did amend the proposal to lower the bid down. This amendment would have also lowered the Tierney bid; however, we still stand by EPA Audio/Visual for this project due to the reasons noted above. With that change in the equipment, we were able to lower the EPA Audio/Visual bid down to **\$135,341.54**. Funding for this project will come from:

- \$100,000 fund balance through the Cable Access P.E.G. fees.
- \$35,342 remaining balance from the Building Fund

The proposal for the new setup will include:

- Three new microphones dropped down from the ceiling that will pick up audience comments and work session discussion (assuming you stay at the tables down in the audience) without having to use a microphone.
- Stream content to YouTube live from the council chambers.

- Moving one of the TVs near the production room to the southeast corner of the council chambers for easier viewing.
- All new electronic components in the production room that should make it easier for broadcasting and handling technical issues.
- New cameras.
- New monitors at the dais.
- Overhead document camera (ceiling mounted) and a new ceiling mounted projector.

Unfortunately, due to Covid-19 supply delays, this project may not be done for a few months as all of our vendors have indicated the needed equipment is sometimes 16+ weeks out.

If you have any questions, please do not hesitate to give me a call at 437-9959.



PROJECT PROPOSAL

DATE: September 23, 2021

SUBJECT: City of Austin

City Of Austin

500 4th Ave NE

Austin, MN 55912-3773

PREPARED FOR:

City Of Austin

Tom Dankert

500 4th Ave NE

Austin, MN 55912-3773

PREPARED BY:

EPA Audio Visual, Inc.

7910 Highway 55

Rockford, MN 55373

763-477-6931

Account Manager:

Systems Engineer:

Ken Kunkel

Doug Neumann

SUBJECT: City of Austin

City of Austin - Tom - Council Chambers Upgrade - 092321

Based on the information given and site visit, we have prepared this proposal to install the audio visual system at The City of Austin. This proposal includes the scope of work, system costs, standard warranty, scheduling, and implementation.

EPA Audio Visual, Inc. is a premier communication technology integration firm. We specialize in design and design/build A/V solutions as well as A/V technology upgrade solutions for integrated multimedia presentation systems, audio systems, distributed media, video conferencing, and portable systems.

Scope of Work

Council Chambers:

Presentation System

Video: The Council Chambers will consist of multiple presentation sources, including a podium laptop, ceiling document camera, and a dedicated rack PC. Two (2) new confidence monitors will be integrated as well as removing one (1) monitor from the overflow space (hallway). The current electric screen will remain and will be re-used in the new design. A low-voltage relay for this screen will be tied into the system for automatic control of the up/down functions when the room is powered on/off. The current projector will be removed and replaced by a new 6000 lumen laser projector to be used for presentations. The current dais monitors will be updated with new LED digital monitors. Lastly, a USB feed from the system to the laptop PC at the podium, and the dedicated PC at the rack will allow for audio and video when conducting soft conferencing calls such as Zoom, Teams, WebEx, etc., and create independent use of the space when an operator is not present in the booth.

Audio: The existing Shure microphone's at the council member locations and podium will remain a part of the new system. One (1) additional desktop gooseneck microphone will be added in the booth to allow the operator to communicate in the room. An additional wireless gooseneck microphone will be added for staff use. The existing ceiling speaker's in the Council Chambers will be updated. The existing DSP audio processor will be re-used, reprogrammed to handle and route all audio in both the presentation and production systems. An additional DSP will be needed, and VoIP capability for future use will be added. This includes all microphone's and programed audio sources. The current six (6) channel's of wireless microphone's will be updated. Ceiling microphone's will be added for voice pickup to the far-end of a web conference.

Media Control: A Crestron control system will operate as the backbone for simple operation of the space. A 10" touch panel will reside at the podium and will control switching video sources and basic audio level control, of the space when an operator is not present, allowing the room to be easily self operated. It will provide volume control, mute functions, and powering the projection system on/off. An additional 22" touch panel will reside in the broadcast booth and provide expanded functionality from the podium touch panel as well as advanced functions necessary for the booth operator. The built-in display of the booth touch panel will only provide the current program source of the space. The podium touch panel in a booth operator configuration will be disabled.

Playback/Broadcast System

EPA will be implementing a new Cablecast Broadcast Server. Additionally, three (3) PTZ cameras will be installed to provide video from the Council Chambers for broadcasting and recording with the playback system and replace the current aging analog cameras in the space.

Playback/Recording System: The Cablecast Server will act as the broadcast and playback server for council meetings and provide an interface for inputs and outputs that support the system. Inputs include the Council Chambers' PTZ cameras, video sources, and a new Vaddio Production/Character Generator system. A Extron streaming device will also be integrated into the system, which will allow for Council Chambers meetings and other events to be streamed to services like Facebook Live, YouTube, etc.

Signal Monitoring: New reference video monitors will be provided to monitor the feeds for the current broadcast from the Cablecast Server, as well as the new character generator PC monitor and the rack dedicated PC.

Camera control: Camera PTZ controls and functions will be controlled via Vaddio camera controller production system. The user will also have a Vaddio touch monitor to allow for simple switching of the camera pre-sets and feed to the broadcast system and recorder via preview and program window.

Equipment Rack: The existing production equipment rack will be reconfigured in the control booth. This will allow for sufficient desk space for the controller, touch panel, and all auxiliary equipment needed to be accessed by the operator. The current tabletop on the production rack will be replaced to provide a clean work surface for the booth operator.

Notes:

- *EPA Audio Visual, Inc. will not be responsible for any training support in regards to the provided Cablecast Server System. It will be the owner's responsibility to schedule training of this device after installation of the system takes place. Any servicing of the equipment or replacement will be provided by EPA post-installation, taking into account the equipment warranty periods.*
- *For proper configuration of web and/or phone conferencing, access to the owner's preferred conferencing software (Skype, Zoom, etc.) and the audio conference call bridge (if used) will be required during EPA's testing and commissioning. If this support cannot be provided at the time of the scheduled installation, return visit(s) and supplementary installation labor will be incurred, at owner's expense, for the amount of time required to finalize the system.*
- *EPA Audio Visual, Inc. is not responsible for the functionality of existing equipment or faulty infrastructure incorporated into the upgraded system.*
- *EPA Audio Visual, Inc. is not responsible for cable pulls to and from the current booth and/or Council Chambers and will be the responsibility of the City of Austin previous to the scheduled installation date and will need to be verified before installation can take place. The wire necessary for installation will be provided by EPA Audio Visual previous to the scheduled installation. A wire pull diagram will also be provided upon request.*
- *Construction and electrical requirements necessary to complete this room are not included in the proposal. A general and electrical contractor may have to be contracted by the owner to provide power requirements necessary for some equipment and its location of installation*

System Implementation

EPA provides a turnkey audio visual system, including equipment, materials, testing, training and warranty. Installation includes engineering, labor, and hardware for display, audio, video, control systems, equipment rack, equipment mounting, plates, panels, connectors and cables. The following items are dependent on project requirements:

Application Engineering:

- Meet with the client's representatives to answer questions during proposal and project reviews.
- Develop and review equipment lists and scope of work to ensure functionality of proposed system.
- Advise conduit and electrical requirements when applicable.
- Review architectural, electrical, and millwork drawings.
- Recommend or review acoustical changes or requirements.
- Provide speaker placement for proper coverage.

Project Management:

- Meetings with client's technical/contract representatives to answer questions and/or resolve issues.
- Coordinate installation process, system implementation, monitoring, and submittal review with client and their contractors.
- Stage equipment and materials at our location.
- Submit owner's manuals and equipment documentation upon request.
- Supervise end user training on systems.

Installation Labor:

- Terminate and label AV system cable that is part of our project.
- Mount/rack AV equipment as specified in the scope of work.
- Adjusting and balancing audio gain settings, equalization, and DSP configuration.
- Assure that the system meets design criteria and functions per the scope of work.
- Site clean-up, disposal of packaging, etc. This does not include existing equipment recycling.
- Pricing is based upon standard business hours of 8:00 a.m. until 4:30 p.m. CST Monday through Friday. Second and third shifts may require additional labor unless a prior agreement has been made.

Exclusions:

- All conduit, high voltage wiring, breakers, relays, boxes, receptacles, etc.
- Building, site construction, or demolition.
- Concrete cutting, core drilling etc.
- Sheet rock replacement or repair necessary for implementation of AV system.
- Ceiling tile or grid work removal or replacement.
- All millwork (moldings, trim, etc.).
- Permits (unless specified in contract).
- Painting or refinishing necessary for implementation of AV system.

System Costs

The system costs include the provision of equipment, hardware, cable, connectors, etc., as well as all engineering, project management, and field installation labor necessary to provide a complete operational system as described above.

Video Equipment:

Qty	Brand	Model and Description	\$Each	\$Extended
1	Da-Lite	96" x 96" Advantage® Electrol®	Existing	Existing
1	Sony	VPL-FH55/W, 4000 lm WUXGA Laser Projector (White)	Remove	Remove
1	Sony	VPL-PH260, 6000 lm WUXGA LaserLite Projector	3,050.00	3,050.00
1	Chief	RPMCU, RPA Universal Projector Mount	207.00	207.00
6	ViewSonic	19" WXGA LCD Monitors	Remove	Remove
6	Asus	VT168H, 15.6" LCD Monitors	199.00	1,194.00
1	Crestron	HD-DA8-4KZ-E, 1-to-8 4K HDMI Distribution Amp.	575.00	575.00
2	Miscellaneous	Existing 46" LCD Monitors (Council Chambers)	Existing	Existing
1	Chief	TS325TU, Medium THINSTALL Dual Swing Arm Wall Mount - 25" Ext.	455.00	455.00
1	Unknown	Hallway Monitor	Remove	Remove
6	Crestron	DM-RMC-4KZ-SCALER-C, 4K DM 8G+® Rx/Scaler & Room Controller	1,035.00	6,210.00
1	Crestron	DM-MD8X8-CPU3, 8x8 DigitalMedia™ Switcher	2,473.00	2,473.00
1	Crestron	DMC-4KZ-C, DM 8G+™ 4K60 4:4:4 HDR Input Card	633.00	633.00
6	Crestron	DMC-4KZ-HD, HDMI 4K60 4:4:4 HDR Input Card	460.00	2,760.00
3	Crestron	DMC-4KZ-CO-HD, 2-Channel DM 8G+™ 4K60 4:4:4 HDR Output Card	748.00	2,244.00
1	Crestron	DMC-4KZ-HDO, 2-Channel 4K Scaling HDMI® Output Card	1,035.00	1,035.00
1	Crestron	DM-TX-4KZ-202-C, DM 8G+® 4K60 4:4:4 HDR Transmitter 202	863.00	863.00
1	Miscellaneous	Laptop w/ Digital Output	Existing	Existing
1	Extron	26-663-12, 12' Ultra Flexible H.S. HDMI Cable	Existing	Existing
1	Liberty	DL-ARDA, Digital Adapter Line w/ DP, MiniDP, USB-C and Apple Adapters	Existing	Existing
1	Elmo	P30S, Table Top HD Document Camera	Remove	Remove
1	Vaddio	999-9968-200, DocCAM 20 HDBT OneLINK HDMI System	4,366.00	4,366.00
1	Miscellaneous	Dedicated PC w/HDMI Output (Booth)	OFE	OFE
1	Black Magic	SmartView 4K, 15.6" Rack-Mountable Monitor (Booth PC Monitor)	1,006.00	1,006.00
1	Black Magic	Teranex Mini HDMI to SDI 12G Converter	511.00	511.00
1	Logitech	MK120, Keyboard & Mouse Combo (Booth PC & Compix)	24.00	24.00
1	Extron	60-952-02, SW2 USB (KVM Switch for Booth PC & Compix)	345.00	345.00
2	Liberty	E-USBAB-10, 10' 2.0 USB-A to USB-B	4.00	8.00
2	Liberty	E-USBAAF-15, 15' USB 2.0 USB-A Male to USB-A Female Extension Cable	8.00	16.00
1	Crestron	AM-100, AirMedia™ Presentation System 100	Remove	Remove
1	Crestron	AM-3200, AirMedia™ Presentation System 200	1,020.00	1,020.00
6	Liberty	M2-HDSEM-M-01F, 1' Reduced Profile HDMI Cable	7.00	42.00
21	Liberty	M2-HDSEM-M-06F, 6' Reduced Profile HDMI Cable	10.00	210.00
1	Liberty	M2-HDSEM-M-10F, 10' Reduced Profile HDMI Cable	12.00	12.00
8	Liberty	M2-HDSEM-M-12F, 12' Reduced Profile HDMI Cable	13.00	104.00
11	Liberty	M2-HDSEM-M-15F, 15' Reduced Profile HDMI Cable	14.00	154.00

Video Production/Conferencing Equipment:

Qty	Brand	Model and Description	\$Each	\$Extended
3	Vaddio	999-99600-100W, RoboSHOT™ 12E HDBT OneLINK HDMI System (White)	4,109.00	12,327.00
1	Vaddio	999-80000-027, 27" USB Touch-Screen Multiview	1,930.00	1,930.00
1	Middle Atlantic	RM-LCD-PNLK LCD, 3RU Pivot tilt Vesa Mount	132.00	132.00
1	Liberty	E-USBAA-15, 15' 2.0 USB-A to USB-A	7.00	7.00
1	Vaddio	999-5660-500, AV Bridge MatrixMIX Production System	8,996.00	8,996.00
1	Liberty	E-USBAB-6, 6' 2.0 USB-A to USB-B	4.00	4.00
1	Blackmagic	Teranex Mini HDMI to SDI 12G Converter	511.00	511.00
1	Blackmagic	SmartView 4K, 15.6" Rack-Mountable Monitor (Graphics PC Monitor)	1,006.00	1,006.00
1	Blackmagic	Teranex Mini HDMI to SDI 12G Converter	511.00	511.00
1	Blackmagic	Teranex Mini SDI Distribution 12G	511.00	511.00
1	Extron	60-1763-01, SME 211 H.264 Streaming Media Encoder	1,375.00	1,375.00
1	Extron	60-190-01, RSU 129 9.5" Universal Rack Shelf Kit	87.00	87.00
1	Blackmagic	Teranex Mini HDMI to SDI 12G Converter	511.00	511.00
1	Leightronix	Ultra Nexus X2, Video Server	Remove	Remove
1	Tightrope	CBL-VIO-600, 2 channel configurable 1x1 or 0x2 SD/HD SDI encode/decode, multi-format server with 8TB of storage in a 1 RU chassis. Selectable SD or HD SDI with embedded audio. Pulls in RTP, RTMP and HLS streams. Includes Cablecast	8,095.00	8,095.00
1	Tightrope	CBL-CGPLAYER-LIC, Cablecast automation and video server software for Cablecast VIO CG servers. Enables the upgrade of a VIO CG Only video server to a full Cablecast VIO Lite 600 Video Server.	1,344.00	1,344.00
1	Tightrope	CBL-RTMP-100, Annual RTMP stream delivery of up to 100GB/month. Equals 40 hours per month at 5 Mbps. Approximately 160 Hours of Zoom Meetings. Cloud based RTMP stream delivery to video servers, Carousel Bulletin Boards, YouTube and Facebook Live.	1,080.00	1,080.00
8	Tightrope	CBL-SVC-PH-HRLY, Remote Training, Installation Assistance and Service	100.00	800.00
1	Blackmagic	SmartView 4K, 15.6" Rack-Mountable Monitor (Broadcast Feed Monitor)	1,006.00	1,006.00
1	Vaddio	999-8215-000, AV Bridge™ CONFERENCE	Existing	Existing
1	Liberty	DIGI-USB2, USB 2.0 High Speed Twisted Pair Set	334.00	334.00
1	Liberty	E-USBAB-6, 6' 2.0 USB-A to USB-B	4.00	4.00
1	Liberty	E-USBAA-15, 15' 2.0 USB-A to USB-A	8.00	8.00
1	Liberty	EPA-WQ614497, Custom Rack Plate (Backup Record Outputs)	84.00	84.00
1	Blackmagic	Teranex Mini HDMI to SDI 12G Converter	511.00	511.00
1	Blackmagic	Audio Monitor 12G (Broadcast Audio Reference)	1,225.00	1,225.00
6	Blackmagic	Teranex Mini Smart Panel for Teranex Mini Converter	88.00	528.00
6	Blackmagic	Teranex Mini Rack Shelf	110.00	660.00
12	Roland	RCC-3-SDI, 3' Black Series SDI Cable	7.00	84.00
18	Roland	RCC-6-SDI, 6' Black Series SDI Cable	14.00	252.00
8	Roland	RCC-10-SDI, 10' Black Series SDI Cable	16.00	128.00
4	Roland	RCC-25-SDI, 25' Black Series SDI Cable	18.00	72.00

Audio Equipment:

Qty	Brand	Model and Description	\$Each	\$Extended
1	Shure	MX412/C, 12" Gooseneck Microphone w/ Shock & Flange Mount	Existing	Existing
10	Shure	MX418D/C, 18" Desktop Base Gooseneck Microphone w/ LED	Existing	Existing
1	Shure	MX418D/C, 18" Desktop Base Gooseneck Microphone w/ LED	265.54	265.54
6	Audio Tech	Wireless Mic System	Remove	Remove
1	Shure	ULXD4Q, Quad Channel Digital Wireless Receiver	4,577.00	4,577.00
2	Shure	ULXD2/SM58, Digital Handheld Transmitter	432.00	864.00
1	Shure	ULXD1, Wireless Bodypack Transmitter	403.00	403.00
1	Shure	WL184, Lavalier Condenser Mic (Supercardioid)	102.00	102.00
1	Shure	ULXD8, Wireless Base Transmitter (Requires gooseneck)	391.00	391.00
1	Shure	MX415/C, Condenser Microphone (for ULXD8)	242.00	242.00
1	Shure	MX415/C, Condenser Microphone (Booth)	242.00	242.00
3	Shure	SCM-810, Self Gating Mic Systems	Remove	Remove
1	Shure	SCM-800, Recording Mixer	Remove	Remove
1	Biamp	Nexia CS, Conferencing System DSP: 10 in x 6 out	Remove	Remove
2	Biamp	TesiraFORTÉ AVB CI, DSP: 12(AEC) in x 8 out	Existing	Existing
1	Biamp	TesiraFORTÉ AVB VT, DSP: 12(AEC) in x 8 out w/ Phone & SIP VoIP	2,299.00	2,299.00
2	Biamp	Parlé TCM-1, AVB Pendant Microphone	919.00	1,838.00
2	Biamp	Parlé TCM-1EX, AVB Pendant Microphone Expansion (3 Daisy-Ch Max)	489.00	978.00
1	Biamp	TesiraCONNECT TC-5, 5-port AVB Expansion Device	690.00	690.00
1	Biamp	TesiraCONNECT TC-5, 5-port AVB Expansion Device	Existing	Existing
2	Tannoy	CMS 403DCe, 4" Directional Dual Concentric Ceiling Speaker	Existing	Existing
6	Unknown	Ceiling Speaker	Remove	Remove
6	Crestron	SAROS IC6T-W-T-EACH, Saros® 6.5" 2-Way Ceiling Speaker	133.00	798.00
1	Crown	CTS-4200, 4 Channel Audio Amplifier	Existing	Existing
1	JBL	C2PS, Monitor Speakers (Pair)	196.00	196.00

Media Control System:

Qty	Brand	Model and Description	\$Each	\$Extended
1	Crestron	PRO4, 4-Series Control System®	3,278.00	3,278.00
1	Crestron	TSD-2220-B, 21.5" Wall Mount HD Touch Screen (Black)	1,150.00	1,150.00
1	Chief	K2W120B, Kontour K2W Wall Mount Swing Arm	169.00	169.00
1	Crestron	DGE-100, Digital Graphics Engine 100	1,150.00	1,150.00
1	Crestron	TS-1070-B-S, 10" Tabletop Touch Screen (Blk)	1,725.00	1,725.00
1	Luxul	AMS-2624P, 26-Port/24 PoE+ (250W) Gigabit Managed Switch	741.00	741.00
10	Liberty	PC6B001BK, 1' Cat 6 UTP Patch Cable	2.00	20.00
9	Liberty	PC6B003BK, 3' Cat 6 UTP Patch Cable	3.00	27.00
18	Liberty	PC6B007BK, 7' Cat 6 UTP Patch Cable	4.00	72.00
11	Liberty	PC6B015BK, 15' Cat 6 UTP Patch Cable	6.00	66.00

Equipment Rack:

Qty	Brand	Model and Description	\$Each	\$Extended
1	Winsted	2-Bay Control Console	Existing	Existing
1	Winsted	81662, 2-Bay Work Surface (Replacement)	302.00	302.00
4	JuiceGoose	JB11-15A-EPA1, Rack Mount Power Strip	82.00	328.00
2	Middle Atlantic	LBP-1.5-PACK, Horizontal Lacing Strip (Qty: 10)	68.00	136.00
6	Middle Atlantic	TW12, Velcro® Cable Strap (Qty: 12)	13.00	78.00
6	Middle Atlantic	IEC-12X4, IEC Power Cord, 12" (Qty: 4)	42.00	252.00
6	Middle Atlantic	IEC-18X4, IEC Power Cord, 18" (Qty: 4)	47.00	282.00
12	Middle Atlantic	EB1, 1 Space Flanged Blank Panel	8.00	96.00
12	Middle Atlantic	EB2, 2 Space Flanged Blank Panel	11.00	132.00
4	Middle Atlantic	UFA-8-F1, 1RU 8"D RackShelf w/ 1RU Faceplate	43.00	172.00

Summary	\$Totals
Equipment Total:	97,701.54
Installation Materials:	2,475.00
Installation Labor/Project Management:	24,840.00
Custom Programming:	5,800.00
Design/Engineering:	2,700.00
Shipping:	1,825.00
Project Total:	135,341.54

- Sales Tax not included, if applicable.
- This proposal is valid for 60 days. Thereafter it is subject to change.

Payment Schedule

All payments are due Net-30 days from date of delivery on equipment with an active account. All others will be required to pay fifty percent (50%) upon order and the balance at completion of the project. If there is a delay in scheduling due to room availability, electrical or construction, etc. equipment will be billed at that time. Labor will be billed after final installation and training. Payment(s) can be made in the form of EFT's, Cash, Check or Credit Card. If a Credit Card is used, it must be presented at the time of order. Credit Cards may not be used after a project has been invoiced or after Net-30 or greater terms has been taken.

Remit and Order Address: (All payments must be mailed to address below)

EPA Audio Visual, Inc.
7910 State Hwy 55
Rockford, MN 55373

763-477-4395 – Fax
EPASTaff@epaaudio.com

Standard Warranty

- EPA warrants the audio visual system furnished to be free from defects in workmanship (i.e. cables, connections, structures) failure for a period of one (1) year from the date of acceptance or first beneficial use, whichever occurs first. Warranty service for such defects will be handled in a reasonable and timely manner from the time of notification to EPA by the owner or their agent.
- Warranty applies only to equipment sold on contract through EPA Audio Visual, Inc. and does not include existing or owner-furnished equipment.
- EPA will provide a 24-hour support phone number. It will be determined at the time of the call if a service technician will be required to make a service call. If a service call is needed, a service technician will be sent to the owner's location within a reasonable amount of time.
- Warranty period on equipment shall start on the day of installation of equipment.
- Manufacturer's equipment warranties are of varying lengths (usually 90 days to 3 years).
- EPA will warrant equipment for the term established by the manufacturer.
- Warranty does not apply to any product that has been subject to misuse, neglect, accident, changes in external or internal settings, reconfiguration of the wiring, or operational error.
- Owner changes to network, computers, peripherals, voice/video servers, or infrastructure requiring the reconfiguration of the audio visual equipment after system deployment is not covered under the standard warranty.

Implementation Team

Ken Kunkel, (763) 477-6931 will serve as your **Account Manager** and will provide primary coordination of systems and equipment recommendations and pricing for the project.

Doug Neumann, (763) 477-6931 will serve as **Project Engineer** and will oversee the various disciplines within the EPA team.

Other members of the EPA technical and administrative staff will be utilized as required for the project.

Summary

We are confident that our participation in your project will contribute to its success. We appreciate the opportunity to submit this proposal package and look forward to your authorization to proceed.

Sincerely,



Ken Kunkel
Regional Sales Manager
EPA Audio Visual, Inc.

Customer or Authorized Representative:

Your signature below acknowledges you have read and agree to the stated proposed information and authorize EPA Audio Visual, Inc. to proceed with the project.

Signature

Print Name

Title

Date

Project Total: \$135,341.54

- **Sales Tax not included, if applicable.**
- **This proposal is valid for 60 days. Thereafter it is subject to change.**

City of Austin - Tom - Council Chambers Upgrade 092321

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RESOLUTION NO.

**AWARDING CONTRACT FOR COUNCIL CHAMBERS
AUDIO VISUAL EQUIPMENT UPGRADES**

WHEREAS, the City received informal professional service bids for audio visual equipment upgrades in the Council Chambers; and

WHEREAS, EPA Audio Visual Equipment submitted a bid in the amount of \$135,341.54; and

WHEREAS, City staff recommends awarding the contract to EPA Audio Visual Equipment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Austin, Minnesota that the Mayor and City Recorder are hereby authorized and directed to enter into a contract with EPA Audio Visual Equipment for audio visual upgrades in the Council Chambers.

Passed by a vote of yeas and nays this 4th day of October, 2021.

Yeas

Nays

ATTEST:

APPROVED

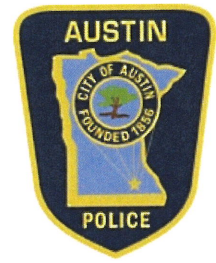
City Recorder

Mayor

AUSTIN POLICE DEPARTMENT

LAW ENFORCEMENT CENTER

201 1ST STREET NE STE 2 AUSTIN MN 55912 (507) 437-9400 FAX: (507) 437-9546



September 29th, 2021
Austin City Council
5004th Ave NE
Austin MN 55912

Dear Mayor and City Council Members,

The Austin Police Department works with the State of Minnesota to promote the Toward Zero Death campaign. The Austin Police Department administers a grant that allows the APD and Mower County Sheriff's Office to work extra enforcement hours in conjunction with the State's media campaigns on traffic safety.

This grant is reapplied for yearly and is something the Department has done for many years. We have been approved for 2021 grant year funding, pending council approval of the attached resolution authorizing our lead in the grant. This year Officer John J. Mueller will be administering the grant for our department. The grant award amount is \$15,325. Thank you.

Sincerely

Chief David McKichan 2D77

RESOLUTION

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

Be it resolved that Austin Police Department enter into a grant agreement with the Minnesota Department of Public Safety, for traffic safety enforcement projects during the period from October 1, 2021 through September 30, 2022 .

That Officer John Mueller is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Austin Police Department and to be the fiscal agent and administer the grant.

I certify that the above resolution was adopted by the City Council of the City of Austin on October 4, 2021 by a vote of yeas and nays:

YEAS:

NAYS:

SIGNED:

(Executive Body)
WITNESSETH:

(Signature)

(Signature)

City Mayor

City Recorder

(Title)

(Title)

(Date)

(Date)

City of Austin
500 Fourth Avenue N.E.
Austin, Minnesota 55912-3773



Steven J. Lang, P.E.
City Engr./Public Works Dir.
507-437-9949
Fax 507-437-7101
slang@ci.austin.mn.us

Memorandum

To: Mayor & Council
From: Steven J. Lang, P.E.
Date: September 30, 2021
Subject: ADA Transition Plan_FINAL

We presented to Council in the past the need to develop an ADA Transition Plan.

The Americans with Disabilities Act (ADA), enacted on July 26th, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:

1. *Employment*
2. *State and local government services*
3. *Public accommodations*
4. *Telecommunications*
5. *Miscellaneous Provisions*

The MnDOT Local Road Research Board has developed a template for Cities and Counties to utilize for implementation of their ADA Transition Plans. Attached for your review is a draft ADA Transition Plan for Austin. Key areas of the plan include the following:

1) Self-Evaluation and Inventory

- a. 125.35 miles of sidewalks
- b. 2086 curb ramps

		Total	%	Description	Estimated Cost
Const. prior to 1980	i. Category 1	243	12%	(non-existing)	\$2.0 million
Const. in 1980's & 90's	ii. Category 2	789	37%	(non-compliant)	\$5.5 million
Const. in 2000's	iii. Category 3	309	15%	(nearly compliant)	
Const. since 2010	iv. Category 4	745	36%	(compliant)	

- c. 19.11 miles of trails
- d. 24 traffic control signals (15 City, 3 County, 6 State)
- e. 31 bus stops, 25 locations on private property and 6 locations on public property

2) Policies and Practices

- a. Policy
 - i. The City's goal is to continue to provide accessible pedestrian design features as part of the City's capital improvement projects.
 - ii. The City will consider and respond to all accessibility improvement requests.

3) Improvement Schedule

a. Priority Areas

- i. Street reconstruction projects
- ii. Near public schools
- iii. Near public buildings
- iv. Public input received

b. Schedule

- i. After 10 years (2030), 60% of accessibility features that were constructed prior to January 26, 1991, would be ADA compliant. (*Category #1 intersections with no pedestrian curb ramps*)
- ii. After 20 years (2040), 80% of accessibility features that were constructed prior to January 26, 1991, would be ADA compliant. (*Category #2 intersections with non-standard pedestrian curb ramps constructed in the 1980's & 90's*)
- iii. After 30 years (2050), 100% of accessibility features that were constructed prior to January 26, 1991, would be ADA compliant. (*Category #2 intersections with non-standard pedestrian curb ramps constructed in the 1980's & 90's*)
- iv. After 30 years (2050), 80% of accessibility features within the jurisdiction of City would be ADA compliant.

4) ADA Coordinator

a. ADA Title II Coordinator

- i. City Administrator

b. Public Right of Ways ADA Implementation Coordinator

- i. City Engineer/Public Works Director

5) Implementation Schedule

a. Methodology

- i. The City of Austin will incorporate projects into the Capital Improvement Program on a case-by-case. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards.
 - 1. Scheduled street and utility improvement projects
 - 2. Stand-alone sidewalk and ADA accessibility improvement projects

6) Public Outreach

a. Community working group, draft review committee

- i. Rich Pavek, Cedar Valley Services
- ii. Brian Beasley & Alex Pitzen, Austin Public Schools
- iii. Steve Kime, Community
- iv. Nancy Schnable, Austin CVB
- v. Savile Lord, SPAM Museum
- vi. Taggert Medgaarden, Austin HRA
- vii. Craig Clark, Steven Lang & Mitch Wenum, City of Austin

b. Draft submitted to the following organizations

- i. Mower County
- ii. City of Austin Human Rights Commission

c. 2-week public comment period

d. Plan posted to City website

7) Grievance Procedures

- a. Americans with Disabilities Act Discrimination Complaint Form posted to City website.

8) Monitoring Progress

- a. This document will continue to be updated as improvements are made.
- b. Updates should occur every 3-5 years.

The draft ADA Transition Plan has been noticed for 2-weeks. It was noticed in the Austin Daily Herald and made available at the Austin Public Library and online on the city website. We did not receive any comments, so the final ADA Transition Plan is attached for your review. We request that you pass the attached resolution adopting the plan. If you have any questions about the draft document or next steps, please let me know.



Introduction

Transition Plan Need and Purpose

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:

1. Employment
2. State and local government services
3. Public accommodations
4. Telecommunications
5. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide. As a provider of public transportation services and programs, City of Austin must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides that, "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." ([42 USC. Sec. 12132](#); [28 CFR. Sec. 35.130](#))

As required by Title II of [ADA, 28 CFR. Part 35 Sec. 35.105 and Sec. 35.150](#), City of Austin has conducted a self-evaluation of its facilities within public rights of way and has developed this Transition Plan detailing how the organization will ensure that all of those facilities are accessible to all individuals. This document serves as a supplement to City's existing Transition Plan covering buildings, services, programs and activities.

ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the [Architectural Barriers Acts of 1968](#) and [Section 504 of the Rehabilitation Act](#) of 1973.

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal



department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

Agency Requirements

Under Title II, the City of Austin must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities ([28 C.F.R. Sec. 35.150](#)).
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability ([28 C.F.R. Sec. 35.130 \(a\)](#)).
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result ([28 C.F.R. Sec. 35.130\(b\) \(7\)](#)).
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective ([28 C.F.R. Sec. 35.130\(b\)\(iv\) & \(d\)](#)).
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others ([29 C.F.R. Sec. 35.160\(a\)](#)).
- Must designate at least one responsible employee to coordinate ADA compliance [[28 CFR Sec. 35.107\(a\)](#)]. This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [[28 CFR Sec. 35.107\(a\)](#)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [[28 CFR Sec. 35.106](#)]. The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [[28 CFR Sec. 104.8\(a\)](#)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [[28 CFR Sec. 35.107\(b\)](#)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

This document has been created to specifically cover accessibility within the public rights of way and does not include information on City programs, practices, or building facilities not related to public rights of way.



Self-Evaluation

Overview

The City of Austin is required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current transportation infrastructure policies, practices, and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how the City implements these policies. The goal of the self-evaluation is to verify that, in implementing the City's policies and practices, the department is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The self-evaluation also examines the condition of the City's Pedestrian Circulation Route/Pedestrian Access Route) (PCR/PAR) and identifies potential need for PCR/PAR infrastructure improvements. This will include the sidewalks, curb ramps, bicycle/pedestrian trails, traffic control signals and transit facilities that are located within the City rights of way. Any barriers to accessibility identified in the self-evaluation and the remedy to the identified barrier are set out in this transition plan.

Summary

In 2016, the City of Austin conducted an inventory of pedestrian facilities within its public right of way consisting of the evaluation of the following facilities:

- 125.35 miles of sidewalks
- 2095 curb ramps
- 19.11 miles of trails
- 24 traffic control signals (15 City, 3 County, 6 State)
- 31 bus stops, 25 locations on private property and 6 locations on public property

Pedestrian curb ramps were evaluated to fit into the following categories:

- Category #1, no existing ped ramps, prior to 1970's
- Category #2, non-compliant ped ramps, era 1970's, 80's and 90's
- Category #3, nearly compliant with current standard, era 2000's
- Category #4, compliant, 2010's

A detailed evaluation on how these facilities relate to ADA standards is found in Appendix A and will be updated periodically.



Policies and Practices

Previous Practices

Since the adoption of the ADA, City of Austin has striven to provide accessible pedestrian features as part of the City's capital improvement projects. As additional information was made available as to the methods of providing accessible pedestrian features, the City updated their procedures to accommodate these methods. Recently, more standardized design and construction methods have evolved. This has resulted in the ability of local agencies to receive additional exposure and training on accessible features. This has improved the City of Austin staff's ability to understand available options and to explore the feasibility of implementing accessibility improvements. This information also assists in providing guidance for developing transition plans.

Policy

The City of Austin's goal is to continue to provide accessible pedestrian design features as part of the City capital improvement projects. The City has established ADA design standards and procedures as listed in Appendix F. These standards and procedures will be kept up to date with nationwide and local best management practices.

The City will consider and respond to all accessibility improvement requests. All accessibility improvements that have been deemed reasonable will be scheduled consistent with transportation priorities. The City will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the City jurisdiction are ADA compliant to the maximum extent feasible.

Maintenance of pedestrian facilities within the public right of way will continue to follow the policies set forth by the City. The City will maintain and update the facility database to reflect improvements to inventoried facilities and measure progress.

Requests for accessibility improvements can be submitted to the Right-of-way ADA implementation Coordinator. Contact information for the responsible party is located in Appendix E.

Improvement Schedule

Priority Areas

The City of Austin has identified specific locations as priority areas for planned accessibility improvement projects. These areas have been selected due to their proximity to specific land



uses such as schools, government offices and medical facilities, as well as from the receipt of public comments. The priority areas as identified in the 2017 self-evaluation are as follows:

- Street Reconstruction Projects
- Near Public Schools
- Near Public Buildings
- Public input received

Additional priority will be given to any location where an improvement project or alteration was constructed after January 26, 1991, and accessibility features were omitted.

External Agency Coordination

Many other agencies are responsible for pedestrian facilities within the jurisdiction of City of Austin. The City will coordinate with those agencies to track and assist in the facilitation of the elimination of accessibility barriers along their routes.

Schedule

City of Austin has set the following schedule goals for improving the accessibility of its pedestrian facilities within the City jurisdiction:

- After 10 years (2030), 60% of accessibility features that were constructed prior to January 26, 1991, would be ADA compliant. *(Category #1 intersections with no pedestrian curb ramps)*
- After 20 years (2040), 80% of accessibility features that were constructed prior to January 26, 1991, would be ADA compliant. *(Category #2 intersections with non-standard pedestrian curb ramps constructed in the 1980's & 90's)*
- After 30 years (2050), 100% of accessibility features that were constructed prior to January 26, 1991, would be ADA compliant. *(Category #2 intersections with non-standard pedestrian curb ramps constructed in the 1980's & 90's)*
- After 30 years (2050), 80% of accessibility features within the jurisdiction of City would be ADA compliant.

ADA Coordinator

In accordance with 28 CFR 35.107(a), the City of Austin has identified an ADA Title II Coordinator to oversee the City policies and procedures. Contact information for this individual is located in Appendix E.



Implementation Schedule

Methodology

City of Austin will utilize two methods for upgrading pedestrian facilities to the current ADA standards. The first and most comprehensive of the two methods are the scheduled street and utility improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. The second method is the stand-alone sidewalk and ADA accessibility improvement project. These projects will be incorporated into the Capital Improvement Program (CIP) on a case-by-case basis as determined by City of Austin staff. The City CIP, which includes a detailed schedule and budget for specific improvements, is included in Appendix B.

Public Outreach

City of Austin recognizes that public participation is an important component in the development of this document. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of the City of Austin.

Public outreach for the creation of this document consisted of the following activities:

The City will provide an opportunity for interested persons, including individuals with disabilities or organizations representing such individuals, to comment on the self-evaluation and Transition Plan process. A draft copy of the Transition Plan will be available to the public online at the City's webpage, www.ci.austin.mn.us keyword "ADA Transition Plan."

A draft copy of the transition plan was sent to known organizations that serve people with disabilities in the City of Austin, including;

- Cedar Valley Services, Inc.
- Mower County
- City of Austin Human Rights Commission
- Austin Housing and Redevelopment Authority

The Transition Plan, a list of interested persons consulted and a description of any modifications made to any policies, practices and programs must be maintained on file and available to the public for at least three years following the completion of the self-evaluation.

This document was also available for public comment. A summary of comments received and detailed information regarding the public outreach activities are located in Appendix C.



Grievance Procedure

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities in regards to the ADA. A draft of this public notice is provided in Appendix D. If users of City of Austin facilities and services believe the City has not provided reasonable accommodation, they have the right to file a grievance.

In accordance with 28 CFR 35.107(b), the City has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints, concerns, comments, and other grievances. This grievance procedure is outlined in Appendix D.

Monitor the Progress

This document will continue to be updated as conditions within the City evolve.

The appendices in this document will be updated periodically, while the main body of the document will be updated in short term period, 3-5 years with a future update schedule to be developed at that time. With each main body update, a public comment period will be established to continue the public outreach.

Appendices

A. Self-Evaluation Results

B. Schedule / Budget Information

C. Public Outreach

D. Grievance Procedure

E. Contact Information

F. Agency ADA Design Standards and Procedures

G. Glossary of Terms



Appendix A – Self-Evaluation Results

This initial self-evaluation of pedestrian facilities yielded the following results:

UPDATE	1/1/2017	1/1/2021		
SIDEWALKS (miles)		125.35		
Slope 2% or Less	TBD	TBD		
Slope 2% or Greater	TBD	TBD		
Slope Unknown	100%	100%		
CURB RAMPS				
Category 1 (non-existing)	365 18%	243 12%		
Category 2 (non-compliant)	907 45%	789 38%		
Category 3 (nearly compliant)	304 15%	309 15%		
Category 4 (compliant)	437 22%	745 36%		
Total	2013	2086		
OFF-ROAD TRAILS (miles)		19.11		
Slope 2% or Less	TBD	TBD		
Slope 2% or Greater	TBD	TBD		
Slope Unknown	100%	100%		
TRAFFIC SIGNALS	24	24		
Category 1 (non-existing)	1 1%	1 1%		
Category 2 (non-compliant)	31 36%	29 34%		
Category 3 (nearly compliant)	35 41%	29 34%		
Category 4 (compliant)	19 22%	27 31%		
Total	86	86		
Push button only	13	13		
Push button & Audible	4	4		
Timed walk	7	7		
RRFB's	5	7		
BUS STOPS				
Private Stops		25		
Public Stops		6		



Appendix B – Schedule / Budget Information

Cost Information

Unit Prices

Construction costs for upgrading facilities can vary depending on each individual improvement and conditions of each site. Costs can also vary on the type and size of project the improvements are associated with. Listed below are representative 2021 costs for some typical accessibility improvements based on if the improvements are included as part of a retrofit type project, or as part of a larger comprehensive capital improvement project.

Intersection corner ADA improvement retrofit: +/- \$5,000 per corner

Intersection corner ADA improvement as part of adjacent capital project: +/- \$4,000 per corner

Traffic control signal APS upgrade retrofit: +/- \$15,000

Traffic control signal APS upgrade as part of full traffic control signal installation: +/- \$10,000

Sidewalk / Trail ADA improvement retrofit: +/- \$10.00 per SF

Sidewalk / Trail ADA improvement as part of adjacent capital project: +/- \$8.00 per SF

Bus Stop ADA improvement retrofit: +/- \$1,000 per stop

Bus Stop ADA improvement as part of adjacent capital project: +/- \$500 per stop

Priority Areas

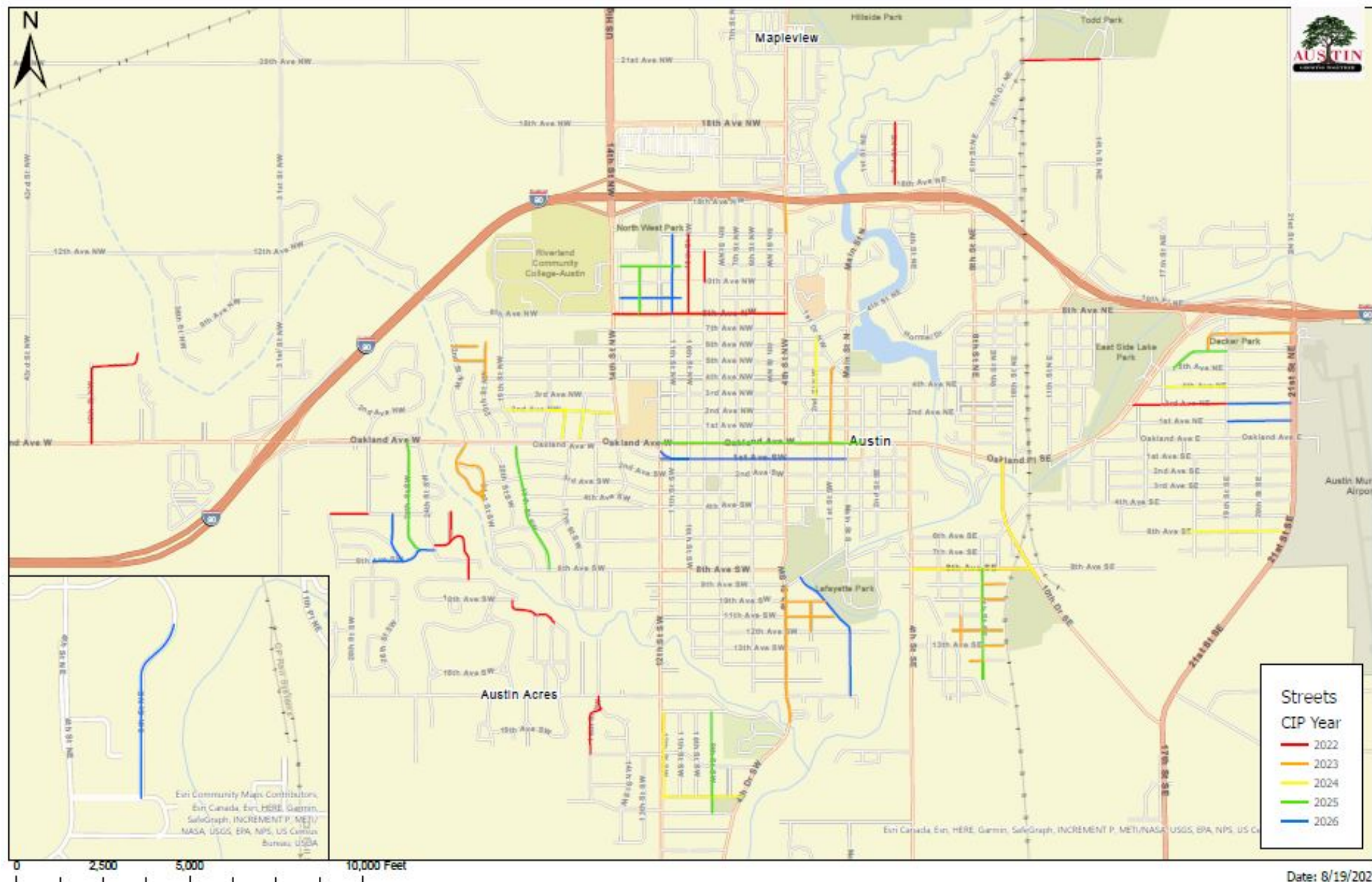
Based on the results of the self-evaluation, the estimate costs associated with eliminating accessibility barriers within the targeted priority areas is as follows:

- Category #1 (non-existing) \$2 million
- Category #2 (non-compliant) \$5.5 million

Entire Jurisdiction

Based on the results of the self-evaluation, the estimate costs associated with providing ADA accessibility within the entire jurisdiction is \$10 million. This amount signifies a significant investment that City of Austin is committed to making in the upcoming years. A systematic approach to providing accessibility will be taken in order to absorb the cost into the City of Austin's budget for improvements to the public right of way.

**City of Austin
500 Fourth Avenue NE
Austin, MN 55912**





Appendix C – Public Outreach

The City of Austin developed a working group to gather input and provide comments on the draft ADA Transition Plan. The work group consisted of the following:

- Rich Pavek, Cedar Valley Services
- Brian Beasley & Alex Pitzen, Austin Public Schools
- Steve Kime, Community
- Nancy Schnable, Austin CVB
- Savile Lord, SPAM Museum
- Taggert Medgaarden, Austin HRA
- Craig Clark, Steven Lang & Mitch Wenum, City of Austin

The group held two meetings:

- 1) Kick-off ADA Transition Plan Meeting; an overview was provided to the group detailing the need for the transition plan, review of the City's self-assessment, and input was gathered from the group regarding areas of concern.
- 2) Draft ADA Transition Plan Meeting; the group was assembled to review the draft plan and provide feedback.

The ADA Transition Plan was then present to the city council at a work session on September 7th, 2021. The document was then posted for 2-week public comment and no comments were received. The Final ADA Transition Plan was approved by Council at the October 4th, 2021 meeting.

The plan is available on-line at the City of Austin website.



Appendix D – Grievance Procedure

As part of the ADA requirements the City/County has posted the following notice outlining its ADA requirements:

Public Notice

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990, City of Austin will not discriminate against qualified individuals with disabilities on the basis of disability in City's services, programs, or activities.

Employment: The City does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the Americans with Disabilities Act (ADA).

Effective Communication: The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. For example, individuals with service animals are welcomed in City offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City program, service, or activity, should contact the office of ADA Coordinator, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

The City will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.



Sample Grievance Procedure (Source www.ada.gov):

**City of Austin
Grievance Procedure under
the Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Austin. The City's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Craig Clark
City Administrator and ADA Coordinator
500 4th Avenue NE
Austin, MN 55912

Within 15 calendar days after receipt of the complaint, Craig Clark or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Craig Clark or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Austin and offer options for substantive resolution of the complaint.

If the response by Craig Clark or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Mayor or his designee.

Within 15 calendar days after receipt of the appeal, the Mayor or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Mayor or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.



**City of Austin
500 Fourth Avenue NE
Austin, MN 55912**

All written complaints received by Craig Clark or his designee, appeals to the Mayor or his designee, and responses from these two offices will be retained by the City of Austin for at least three years.



City of Austin Grievance Procedure

Those wishing to file a formal written grievance with the City of Austin may do so by one of the following methods:

Internet

Visit the City of Austin website (website) and click the “ADA” link to the [ADA Grievance Form](#). Fill in the form online and click “submit.” A copy of The ADA Grievance Form is included in this Appendix.

Telephone

Contact the pertinent City staff person listed in the **Contact Information** section of Appendix E to submit an oral grievance. The staff person will utilize the Internet method above to submit the grievance on behalf of the person filing the grievance.

Paper Submittal

Contact the pertinent City staff person listed in the **Contact Information** section of Appendix E to request a paper copy of the county’s grievance form, complete the form, and submit it to the Responsible Party. A staff person will utilize the Internet method above to submit the grievance on behalf of the person filing the grievance.

The ADA Grievance Form will ask for the following information:

The **name, address, telephone number, and email address** for the person filing the grievance

The **name, address, telephone number, and email address** for the person alleging an ADA violation (if different than the person filing the grievance)

A **description and location of the alleged violation and the nature of a remedy sought**, if known by the complainant.

If the complainant has filed the same complaint or grievance with the United States Department of Justice (DOJ), another federal or state civil rights agency, a court, or others, the **name of the agency or court where the complainant filed it and the filing date**.

The City will acknowledge receipt of the grievance to the complainant within 10 working days of its submittal. City will also provide to the complainant within 10 working days of its submittal; 1) a response or resolution to the grievance or; 2) information on when the complainant can expect a response or resolution to the grievance.



If the grievance filed does not concern a City of Austin facility, the City will work with the complainant to contact the agency that has jurisdiction.

3. Within 60 calendar days of receipt, a City of Austin staff person will conduct an investigation necessary to determine the validity of the alleged violation. As a part of the investigation, the staff person would conduct an engineering study to help determine the City's response. The staff person will take advantage of department resources and use engineering judgment, data collected, and any information submitted by the resident to develop a conclusion. A staff person will be available to meet with the complainant to discuss the matter as a part of the investigation and resolution of the matter. The City will document each resolution of a filed grievance and retain such documentation in the department's ADA Grievance File for a period of seven years.

The City will consider all specific grievances within its particular context or setting. Furthermore, the City will consider many varying circumstances including: 1) the nature of the access to services, programs, or facilities at issue; 2) the specific nature of the disability; 3) the essential eligibility requirements for participation; 4) the health and safety of others; and 5) the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to the City of Austin.

Accordingly, the resolution by the City of Austin of any one grievance does not constitute a precedent upon which the county is bound or upon which other complaining parties may rely.

File Maintenance

The City shall maintain ADA grievance files for a period of seven years.

Complaints of Title II violations may also be filed with the DOJ within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department of Justice (DOJ). The DOJ may bring a lawsuit where it has investigated a matter and has been unable to resolve violations.

For more information, contact:

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Disability Rights Section - NYAV
Washington, D.C. 20530

www.ada.gov

(800) 514-0301 (voice – toll free)

(800) 514-0383 (TTY)



City of Austin
500 Fourth Avenue NE
Austin, MN 55912

Title II may also be enforced through private lawsuits in Federal court. It is not necessary to file a complaint with the DOJ or any other Federal agency, or to receive a "right-to-sue" letter, before going to court.



Americans with Disabilities Act Discrimination Complaint Form

Instructions: Please fill out this form completely, in black ink or type. Sign and return to the address on page 3.

Complainant: _____

Address: _____

City, State and Zip Code: _____

Home Phone: _____

Mobile Phone: _____

Business: _____

Person Discriminated Against (if other than the complainant): _____

Address: City, State, and Zip Code: _____

Home Phone: _____

Mobile Phone: _____

Business: _____

Government, or organization, or institution which you believe has discriminated:

Name: _____

Address: _____

County: _____

City: _____

State and Zip Code: _____

Telephone Number: _____



When did the discrimination occur? Date: _____

Describe the acts of discrimination providing the name(s) where possible of the individuals who discriminated (use space on page 3 if necessary):

Have efforts been made to resolve this complaint through the internal grievance procedure of the government, organization, or institution?

Yes_____ No_____

If yes: what is the status of the grievance?

Has the complaint been filed with another bureau of the Department of Justice or any other Federal, State, or local civil rights agency or court?

Yes_____ No_____

If yes:

Agency or Court:_____

Contact Person:_____

Address:_____

City, State, and Zip Code:_____

Telephone Number:_____

Date Filed:_____



City of Austin
500 Fourth Avenue NE
Austin, MN 55912

Do you intend to file with another agency or court?

Yes_____ No_____

Agency or Court:_____

Address:_____

City, State and Zip Code:_____

Telephone Number:_____

Additional space for
answers:

Signature: _____

Date: _____

Return to:

City of Austin

Attn: Craig Clark, City Administrator and ADA Coordinator

500 4th Avenue NE

Austin, MN 55912



City of Austin
500 Fourth Avenue NE
Austin, MN 55912

Appendix E – Contact Information

ADA Title II Coordinator

Name: Craig Clark

City Administrator
500 4th Avenue NE
Austin, MN 55912
507-437-9940
craigc@ci.austin.mn.us

Public Right of Ways ADA Implementation Coordinator

Name: Steven Lang

City Engineer/Public Works Director
500 4th Avenue NE
Austin, MN 55912
507-437-9950
slang@ci.austin.mn.us

Other



Appendix F – Agency ADA Design Standards and Procedures

Design Procedures

Intersection Corners

Curb ramps or blended transitions will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for an intersection corner to achieve full accessibility within the scope of any project. Those limitations will be noted and those intersection corners will remain on the transition plan. As future projects or opportunities arise, those intersection corners shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, each intersection corner shall be made as compliant as possible in accordance with the judgment of City staff.

Sidewalks / Trails

Sidewalks and trails will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for segments of sidewalks or trails to achieve full accessibility within the scope of any project. Those limitations will be noted and those segments will remain on the transition plan. As future projects or opportunities arise, those segments shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, every sidewalk or trail shall be made as compliant as possible in accordance with the judgment of City staff.

Traffic Control Signals

Traffic control signals will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual traffic control signal locations to achieve full accessibility within the scope of any project. Those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, each traffic signal control location shall be made as compliant as possible in accordance with the judgment of City staff.

Bus Stops

Bus stops will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual bus stop locations to achieve full accessibility within the scope of any project. Those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future



work. Regardless on if full compliance can be achieved or not, each bus stop location shall be made as compliant as possible in accordance with the judgment of City staff.

Other Transit Facilities

Additional transit facilities are present within the limits of the City of Austin. Those facilities fall under the jurisdiction of Transit Provider. The City of Austin will work with Transit Provider to ensure that those facilities meet all appropriate accessibility standards.

Other policies, practices and programs

Policies, practices and programs not identified in this document will follow the applicable ADA standards.

Design Standards

The City of Austin has PROWAG, as adopted by the Minnesota Department of Transportation (MnDOT), as its design standard. A copy of this document is included in the following pages of this appendix.



Appendix G – Glossary of Terms

ABA: See Architectural Barriers Act.

ADA: See Americans with Disabilities Act.

ADA Transition Plan: Mn/DOT's transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements into the Statewide Transportation Improvement Program (STIP), and ensures all transportation facilities, services, programs, and activities are accessible to all individuals.

ADAAG: See Americans with Disabilities Act Accessibility Guidelines.

Accessible: A facility that provides access to people with disabilities using the design requirements of the ADA.

Accessible Pedestrian Signal (APS): A device that communicates information about the WALK phase in audible and vibrotactile formats.

Alteration: A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

Americans with Disabilities Act (ADA): The Americans with Disabilities Act; Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

Americans with Disabilities Act Accessibility Guidelines (ADAAG): contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

APS: See Accessible Pedestrian Signal.

Architectural Barriers Act (ABA): Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Capital Improvement Program (CIP): The CIP for the Transportation Department includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the county's transportation system.



Detectable Warning: A surface feature of truncated domes, built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

DOJ: See United States Department of Justice

Federal Highway Administration (FHWA): A branch of the US Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

FHWA: See Federal Highway Administration

Pedestrian Access Route (PAR): A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

Pedestrian Circulation Route (PCR): A prepared exterior or interior way of passage provided for pedestrian travel.

PROWAG: An acronym for the *Guidelines for Accessible Public Rights-of-Way* issued in 2005 by the U. S. Access Board. This guidance addresses roadway design practices, slope, and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

Right of Way: A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks, and trails creating public pedestrian access within a public entity's jurisdictional limits.

Section 504: The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

Uniform Accessibility Standards (UFAS): Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

United States Access Board: An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

United States Department of Justice (DOJ): The United States Department of Justice (often referred to as the Justice Department or DOJ), is the United States federal executive department responsible for the enforcement of the law and administration of justice.

RESOLUTION NO.

ADOPTING AN AMERICANS WITH DISABILITIES
ACT TRANSITION PLAN

WHEREAS, The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability; and

WHEREAS, As required by Title II of ADA, 28 CFR. Part 35 Sec. 35. 105 and Sec. 35. 150, the City of Austin has conducted a self-evaluation of its facilities within public rights of way; and

WHEREAS, Title II of ADA is companion legislation to two previous federal statutes and regulations: the Architectural Barriers Acts of 1968 and Section 504 of the Rehabilitation Act of 1973; and

WHEREAS, Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not; and

WHEREAS, the ADA Transition Plan for Public Rights of Way has been prepared to guide the implementation of ADA improvements within the City public right of way in accordance with the requirements of Title II.

NOW THEREFORE BE IT RESOLVED by the City Council of Austin Minnesota, that the ADA Transition Plan for Public Right of Way dated October 4, 2021 is hereby adopted.

Passed by a vote of yeas and nays this 4th day of October, 2021.

Yeas

Nays

ATTEST:

APPROVED:

City Recorder

Mayor

City of Austin
500 Fourth Avenue N.E.
Austin, Minnesota 55912-3773



Steven J. Lang, P.E.
City Engr./Public Works Dir.
507-437-9949
Fax 507-437-7101
slang@ci.austin.mn.us

Memorandum

To: Mayor & Council
From: Steven J. Lang, P.E.
Date: September 16, 2021
Subject: I-90 Bridge Replacement Project
4th Street NW Design Discussion

MnDOT has requested an opportunity to discuss with Council the Municipal Consent process. The discussion will include the following:

- Brief summary of the Municipal Consent process by Jai Kalsy, MnDOT Project Engineer, including an understanding of both City and MnDOT expectations and responsibilities.
- Summary of the community engagement results by Dave Nelson, SRF Consulting, including the following charts and pole numbers.

Through the on-line and in-person survey efforts, we have received 350 survey responses. The tight diamond (TDI) was preferred by a slight margin with the roundabout option a close second, followed by the single point interchange (SPUI) (see tabular data below). The numerical rankings are based on preference of responders given that 1 represents “strongly not preferred”, while a 5 represents “strongly prefer”.

Average Score	Caucasian	Black	Native American	Hispanic	Karen/Karenni	Multi-Racial	Other	Total
Number	272	1	4	25	8	5	19	334
Tight diamond (Signal)	3.3	5.0	4.0	3.5	4.4	4.0	3.8	3.4
Tight diamond (Roundabout)	3.2	1.0	3.0	3.4	4.4	3.2	3.2	3.2
Single Point	2.7	3.0	2.0	3.4	3.9	2.8	3.0	2.8

We also want to note that, out of the 350 survey responses, we received responses from 75 active transportation users (those on foot, bike, or wheelchair), which indicated that the roundabout option was preferred for safety reasons, see the tabular results below for this sub-group.

Average Score	Active Transportation	Car/Transit
Number	75	277
Tight diamond (Signal)	3.1	3.4
Tight diamond (Roundabout)	3.8	3.1
Single Point	2.7	2.8

Through discussions with the active transportation users, we heard that they are looking to have less conflict, and that their frame of reference is from what it is out there today. They want wider sidewalks, less risk from cars at driveways and an east-west crossings of 4th Street.

As designers, we must balance many competing interests to develop acceptable design solutions. Any of the three options will:

- Improve vehicular operations
- Be safer to navigate on foot, bike, or wheelchair
- Generate minimal property impacts
- Provide opportunities for aesthetic improvements

- 1) The main differences are cost, constructability, and east/west pedestrian crossing of 4th Street.
- 2) The Single Point option will be more expensive while the roundabout option will be the least expensive.
- 3) The Tight Diamond with a Signal is the only option that may provide the opportunity to maintain traffic across I-90 on 4th Street during construction.
- 4) The Single Point option does not provide a clear east/west pedestrian crossing of 4th Street within the interchange area.

As you can imagine there is a great deal of effort involved with development of plans for a project of this complexity. MnDOT would like to ensure consensus from Council's on the preferred option of the Single Point design and therefore would like to request a formal motion or resolution confirming that option.

If you have any questions, please contact me.

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: Robert Ruble
51718 170th St, Austin, MN 55912

From: Holly Wallace, Planning & Zoning Administrator

Re: Accumulation of Refuse and Junk
At 1010 4th Ave NW, Ruble Property

Date: October 1, 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 1010 4th Ave NW. 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**

October 1, 2021

Robert Ruble
51718 170th St
Austin, MN 55912

RE: Zoning Violations at 1010 4th Ave NW, Austin, MN

Dear Sir:

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 September 29, 2021 at this site and the following issues need to be resolved:

1. Remove all junk from property

This is a repeat offense and the matter has been referred to the Austin City Council for corrective action. You are being fined under the following City Code:

1.98 CIVIL PENALTIES.

Subd. 1. Purpose.

- A. The City Council seeks to offer an alternative method of enforcement for city code violations rather than relying on the criminal court system. The formal criminal prosecution process does not provide an environment to adequately address the unique and sensitive issues that are involved in city code violations, including, but not limited to, neighborhood concerns, livability issues, economic impact, physical limitations of the offenders and the stigma and unintended consequences of being charged with or convicted of a misdemeanor offense. In addition, the court system is a slow, overburdened and methodical process that is not conducive to dealing with the violations in a prompt and timely manner. Finally, the penalties afforded the criminal court system are restricted to fines or physical confinement, which are not always effective solutions to address city code violations.

Subd. 4. Compliance letter.

- C. Exceptions to issuance of a compliance letter. For violations of any of the following sections, the city shall not be required to issue a compliance letter and may proceed directly to issuance of an administrative citation as provided in division (E) below.

1. Repeat offender. If the same offender commits a subsequent violation within 24 months after a compliance letter has been issued for a same or similar offense.

Subd. 5. Administrative citation

A. Generally.

1. Upon the failure to correct the violation specified in the compliance letter within the time frame established in the compliance letter or any extension thereof granted by the city, or for any offense for which a compliance letter is not required, an administrative citation may be issued.

If you have any questions, please call me at my office at (507)437-9951.

Sincerely,

Brent Johnson
Zoning Inspector



TIME STAMP

September 29, 2021
11:06 AM

1010 4th Ave NW



1610