

**A G E N D A**  
**CITY COUNCIL MEETING**  
**MONDAY, MAY 2, 2022**  
**5:30 P.M.**  
**COUNCIL CHAMBERS**

Call to Order.

Pledge of Allegiance.

Roll Call.

(mot) 1. Adoption of Agenda.

(mot) 2. Approving minutes from April 18, 2022.

3. Recognitions and Awards.

Discover Austin Annual Report – Nancy Schnable

(mot) 4. \*Consent Agenda

Licenses:

Exempt Gambling: American Legion on August 9-14, 2022

Exempt Gambling: Marcusen Park Baseball Association on September 1, 2022

Food: N'nyaw Grocery Store, 404 1<sup>st</sup> Street NW

Mobile Business: Classic Kitchen, 22133 State Highway 56

Mobile Business: Mimi's Cones, 1208 10<sup>th</sup> Avenue SW

Mobile Business: Stagecoach BBQ & Grill, 205 W. Main Street, Brownsdale

Right of Way: Lamont Concrete, LLC, 56837 180<sup>th</sup> Street

Tree Service: Green Tree Outdoor Services, Fountain

Claims:

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

Event Applications:

Independence Day Parade on July 4, 2022

**PUBLIC HEARINGS:**

(res) 5. Adopting a written spending plan for tax increment financing (redevelopment) district no. 11.

6. Reviewing a tax abatement application from Caleb Tsetse.

(res) a. Approval or denial of abatement.

7. Public hearing on street improvement assessment for 5<sup>th</sup> Avenue NW (40<sup>th</sup> Street NW to dead end) and 40<sup>th</sup> Street NW (Oakland Avenue West to 5<sup>th</sup> Avenue NW), Project 22108. The amount to be assessed is \$159,035.00 at 3.75% for 15 years.

a. Presentation of the project and associated assessments.

b. Call for written objections.

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

(res) d. Resolution declaring the cost.  
(res) e. Resolution adopting the assessment roll.

## **BID OPENINGS**

8. Receiving bid for the 40<sup>th</sup> Street NW & 5<sup>th</sup> Avenue NW paving project.  
(res) a. Awarding bid.

9. Receiving bid for the Cedar River siphon project.  
(mot) a. Rejecting bid.

## **PETITIONS AND REQUESTS:**

(res) 10. Approving a contract with Bird Rides, Inc.

11. Reviewing the 1<sup>st</sup> and 3<sup>rd</sup> Apartments proposal.  
(res) a. In support for the 1st and 3rd Apartments tax credit application.  
(res) b. In support for the 1<sup>st</sup> and 3<sup>rd</sup> Apartments additional funding.  
(mot) c. Approving letter in support from the Mayor for the tax credit application.

12. Reviewing the preservation of the right to establish a redevelopment district.  
(res) a. Finding that parcels are occupied by structurally substandard buildings.  
(res) b. Authorizing reimbursement from tax increment pursuant to an interfund loan for advance of certain HRA costs in connection with a tax increment financing district within municipal development district no. 1.

(res) 13. Affirming participation in the Office of the State Auditor's Voluntary 2022 Performance Measurements Program.

(mot) 14. Approving additional funding for the Senior Center parking lot and sidewalk replacement project.

(res) 15. Approving a contract with Flashing Thunder Fireworks.

(mot) 16. Approving the City's participation in the 2022 Electronics Recycling Event.

(res) 17. Authorizing the request for qualifications for a United States Economic Development administration study.

(res) 18. Designating election judges and polling places for 2022 elections.

19. Granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at the following locations:  
(mot) a. 804 1<sup>st</sup> Avenue NW, Padilla Property.  
(mot) b. 808 1<sup>st</sup> Avenue NW, Gallardo Property.  
(mot) c. 1605 12<sup>th</sup> Street SW, Rivera Property.

## **CITIZENS ADDRESSING THE COUNCIL**

## **HONORARY COUNCIL MEMBER COMMENTS**

**REPORTS AND RECOMMENDATIONS:**

City Administrator  
City Council

(mot)      **Adjourn to Monday, May 16, 2022 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**  
April 18, 2022  
5:30 PM  
Council Chambers

**MEMBERS PRESENT:** Mayor King. Council Members Paul Fischer, Rebecca Waller, Jason Baskin, Oballa Oballa, Michael Postma, 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, Public Works Director Steven Lang, Fire Chief Jim McCoy, City Attorney Craig Byram, Library Director Julie Clinefelter, Human Resources Director Trish Wiechmann and City Clerk Ann Kasel

**APPEARING IN PERSON:** Austin Daily Herald

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

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

Moved by Council Member Baskin, seconded by Council Member Fischer, approving Council minutes from April 4, 2022. Carried.

**CONSENT AGENDA**

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

**Licenses:**

Mobile Business: Erin's Street Bistro, Albert Lea  
Mobile Business (2): Tienda Y Taqueria Gurerreo, 301D 4<sup>th</sup> Avenue NE  
Right of Way: Heimer Concrete: 19307 State Hwy 105

**Claims:**

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

**Event Applications:**

KSMQ Public Television 50<sup>th</sup> Anniversary on September 17, 2022  
VFW Armed Forces Car Show on May 21, 2022

Carried.

## PETITIONS AND REQUESTS

Fire Chief Jim McCoy stated the City is looking into purchasing a ladder truck in 2025 as set forth in the capital improvement plan. Chief McCoy recently received an update from the manufacturer that the cost is \$1,645,000 with a 7% price increase scheduled for May 1, 2022. There are additional price increases coming with an estimated price of \$2,000,000 for purchase in 2025. The City could sign a purchase contract now with no money down for 2024 delivery and save approximately \$375,000.

Moved by Council Member Baskin, seconded by Council Member Waller, adopting a resolution approving a contract for the purchase of a fire truck. Carried 7-0.

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

City Clerk Ann Kasel requested the Council adopt a resolution setting a public hearing for May 16, 2022 for the reassessment of recently sold forfeited properties. She stated the notice of hearing would be published in the paper and mailed to each property owner.

Moved by Council Member-at-Large Austin, seconded by Council Member Oballa, adopting a resolution setting a public hearing for May 16, 2022 for the reassessment of forfeited property. Carried 7-0.

City Clerk Ann Kasel stated the County recently provided the City with a list of properties that forfeited to the State of Minnesota for non-payment of taxes. She stated the amounts listed next to each parcel are the City assessments from the unpaid tax years. She requested the Council adopt a resolution certifying those amounts to Mower County.

Moved by Council Member Postma, seconded by Council Member Fischer, adopting a resolution approving the County board classification of 2022 forfeited property and declaring the City's intent to reassess unpaid assessments. Carried 7-0.

Public Works Director Steven Lang stated in preparation for 2023 construction projects, the City would like to complete traffic studies on 1<sup>st</sup> Street NW and in the downtown area. WHKS provided an estimate in the amount of \$32,800 for the study which would include traffic counts, warrant analysis and intersection control evaluation. Mr. Lang recommended awarding the contract to WHKS.

Moved by Council Member-at-Large Austin, seconded by Council Member Waller, adopting a resolution approving a contract for a traffic study with WHKS. Carried 7-0.

Public Works Director Steven Lang requested the Council approve a limited use permit agreement with the State of Minnesota for a trail along the south side of Oakland Avenue West

from 25<sup>th</sup> Street SW to I-90. The agreement is necessary because portions of the trail will be constructed in MnDOT right-of-way.

Moved by Council Member Baskin, seconded by Council Member Poshusta, adopting a resolution approving a limited use permit agreement with the State of Minnesota. Carried 7-0.

Moved by Council Member Oballa, seconded by Council Member Poshusta, declaring the structure at 606 1<sup>st</sup> Avenue SW as a hazardous structure. Carried 7-0.

Moved by Council Member Postma, seconded by Council Member Waller, declaring the structure at 204 12<sup>th</sup> Street SW as a hazardous structure. Carried 7-0.

Moved by Council Member Fischer, seconded by Council Member Oballa, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1208 5<sup>th</sup> Street NW, Clayton Property. Carried.

Moved by Council Member Postma, 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 1809 4<sup>th</sup> Avenue NE, Rodriguez Property. Carried.

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 904 12<sup>th</sup> Avenue SE, Franco Property. Carried.

## REPORTS

City Administrator reminded the Council of the League of Minnesota Cities summer conference from June 22-24<sup>th</sup>. He also stated the DCA is working with Mower County working on the Mower County Resiliency Grant program.

Library Director Julie Clinefelter stated the Austin Page Turners will have their annual read starting this week. There are also container gardening workshops coming up. Also, the social justice book club will meet in April and May.

Council Member Postma stated the Rotary group is looking for service award recipients.

Moved by Council Member-at-Large Austin, seconded by Council Member Waller, adjourning the meeting to May 2, 2022. Carried.

Adjourned: 5:44 p.m.

Approved: May 2, 2022

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

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

# 2021 ANNUAL REPORT



*Greetings from*



*Minnesota*

#VisitAustinMN



Discover  
*Austin*  
Minnesota

301 North Main Street, Suite 101  
Austin, Minnesota • 507-437-4563  
[www.AustinMN.com](http://www.AustinMN.com)

# NOTES FROM THE EXECUTIVE DIRECTOR

In 2020, COVID-19 had a real and devastating effect on the hospitality and tourism industry and as we rolled into 2021, travel was still VERY LIMITED. This was heartbreaking news for Discover Austin, MN, whose mission is to promote tourism for the Austin area. So, we took an optimistic approach and were determined to find an effective way to reach those desired visitors and let them know about Austin, Minnesota as a destination.



Petunia posing in front of the Greetings sign at the Spam® Museum



Petunia hunting pheasants with Minnesota Governor Tim Walz



Petunia at the Guest Ranch in Nemo, South Dakota

After considering the usual successful methods: print ads, social media campaigns, billboards, radio spots, and TV commercials, it was decided we think outside the box. After all, 2020 was a year like no other, so maybe a 2021 marketing campaign like no other was what was needed. After much discussion, Discover Austin, MN decided to create a show stopper that would grab people's attention in an unique way. It would provide information about Austin in an easy manner giving potential tourists information on local attractions, restaurants, shops, and hotels, thus increasing the interest to make Austin a desired destination.

A VW Beetle professionally wrapped to resemble a happy pig was chosen as the show stopper. This pig can roll through parades or attend car shows and events and make other public appearances to provide great photo opportunities all while promoting the Austin community as a fun place to visit. The happy pig is not only charming but the back hatch is functional and provides ample room to store brochures, supplies, and other awesome Austin items.

Funding was provided from local and state grants. A very special thank you goes to CarNu and many other volunteers who donated professional services and/or countless hours to make this endeavor a possibility.

Now that the Pig was ready to present, we needed help from the Austin community to NAME THAT PIG! Over 500 names were submitted and "Petunia" the pink promoting pig was chosen.

**"Petunia" squealed her way throughout the Midwest attending shows, parades, events and more!**



Petunia and the Jolly Green Giant  
in Blue Earth, Minnesota



Petunia and the Mower County Dairy Princess



Petunia visiting the other  
"Hogs" at Sturgis



Petunia at the Corn Palace in South Dakota



Petunia at Deadwood, South Dakota



Petunia at Pinters Gardens and  
Pumpkins in Decorah, Iowa



Petunia at Buffalo Chip  
during Sturgis



Petunia at Farmfest



Petunia relaxing at a park



Petunia at Eddie Cochran Weekend  
in Albert Lea, MN



Petunia in the Badlands, South Dakota



Petunia posing with Princesses

**We continue to get creative with marketing on a limited budget and turned to qualified travel writers to help promote Austin to their followers.**

Here are some of the featured articles:



**“** Visiting the Mall of America or the Twin Cities and looking for a daytrip? Or live locally and looking for something different to do with a little history thrown in? In less than two hours, you can drive to charming Austin, Minn. to check out the SPAM® Museum, Hormel Historic Home, historic Paramount Theatre, Buffy the Cow, and more. **”**

<https://www.kmfiswriting.com/daytrip-from-minneapolis-explore-spam-museum-and-more-in-austin-minn/>



**“** The city of Austin, MN is rich in history and culture. If you want to see the home of SPAM or get the opportunity to enjoy nature at its best, visit Austin. Along with a visit to the Historical Hormel Home, be sure to check out all the extra goodies that Austin has to offer. This town is smaller, with a population of around 25,000, so you'll surely feel at home during your visit. **”**

<https://vacationidea.com/minnesota/best-things-to-do-in-austin-mn.html>



**VacationIdea**  
DREAM VACATION MAGAZINE

**7 Best Things to Do in Austin, Minnesota**

By VI Staff on December 5, 2021 - Updated



**“** Austin is a cute small town about 2 hours south of the Twin Cities and well worth the drive! Everything from donuts, to Spam, nature and beer! **”**

 **shrpa**

<https://shrpa.com/itinerary/familydaytriptoaustin/>

# We are two years into a 10 year commitment while going on a national tour in the form of a big rig traveling billboard.

Through a grant from Explore Minnesota Tourism in 2020, Discover Austin has organized a semi-trailer to be wrapped up in Austin — literally.

Pictures of Austin events and locations adorn the semi-trailer on both sides of the 53-foot trailer as well as the back.

It reaches markets we normally wouldn't be able to reach and each month Discover Austin, MN gets a report showing where the trailer has been traveling.

**In 2021 the trailer traveled to new locations throughout the US such as:**

37347, Tennessee  
61348, Illinois  
53527, Wisconsin  
55120, Minnesota

52404, Iowa  
35954, Alabama  
58059, North Dakota  
59330, Montana

98409, Washington  
89445, Nevada  
95366, California  
54703, Wisconsin

64803, Missouri  
46514, Indiana  
44425, Ohio  
17362, Pennsylvania  
73090, Oklahoma  
72082, Arkansas  
49418, Michigan  
30336, Georgia  
28716, North Carolina  
32588, Florida  
42303, Kentucky  
12125, New York  
01125, Massachusetts  
05452, Vermont  
03304, New Hampshire  
80642, Colorado  
Desert Springs, Arizona  
88401, New Mexico  
Fall River South Dakota  
82930, Wyoming



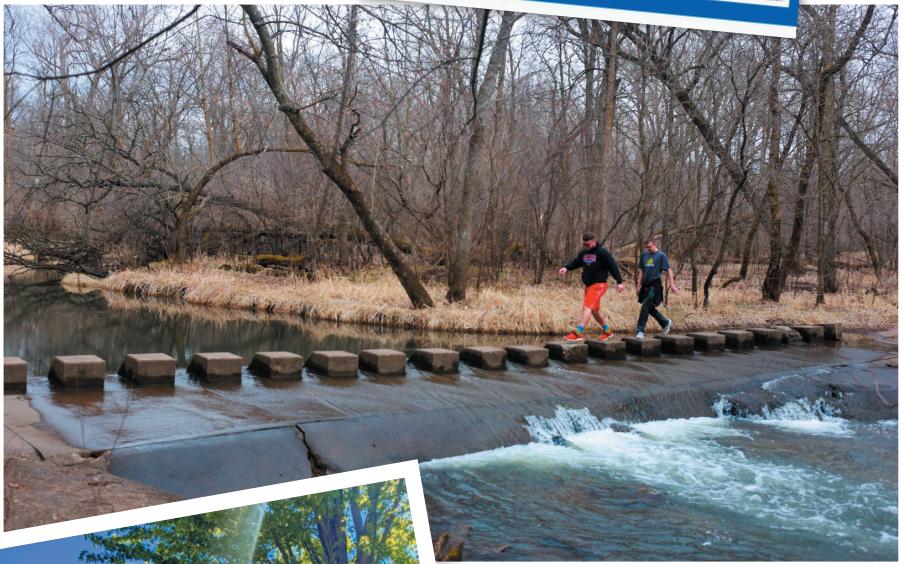
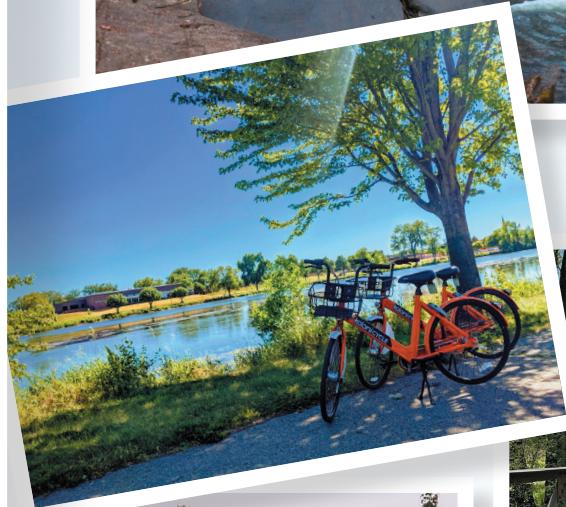
# Travelers comfort levels varied all across the board in 2021.

So for National Tourism Week, Discover Austin, MN encouraged locals to be a Tourist in your hometown through your local lens.



There are many picturesque places in our community and we wanted locals to take photos of them.

**The response we received was amazing!**

A flyer for a photo contest. The top half features a blue and white graphic with the text "Be A Tourist in Your Own Hometown... Through Your Local Lens!". Below this, a large text block reads: "There are many picturesque places, people and things in Austin, Minnesota and we want to see your photos of them." Smaller text below specifies the contest details: "From May 2-July 9, 2021 Submit your photos of picturesque Austin, Minnesota to [visitor@austinMN.com](mailto:visitor@austinMN.com) for a chance to win prizes. Please include Name of Photographer, contact information along with the location and date of photo." It also includes rules: "Person submitting the photo MUST have the rights to the photo. By submitting photos you grant permission to use your photograph(s) for promotional and marketing purposes without further consideration." The grand prize is \$150 Chamber Bucks, with five additional prizes of \$125, \$100, \$75, \$50, and \$25 Chamber Bucks. The contact information for Discover Austin, MN is provided: "Discover Austin Minnesota 507-437-4563 301 North Main Street, Suite 101 Austin, Minnesota". There are also three small images showing scenic views of Austin, MN.

**Research was showing that in 2021 visitors interested in traveling felt more comfortable going over the road verses flying.**

So Discover Austin, MN applied and was approved to be a partner with the State of Minnesota Wayside Rest Program.

This allowed us to place qualified information stands at three designated Wayside Rest Areas throughout the State of Minnesota. We were selected for the Wayside Rest Areas in Rochester I-90 Westbound, Albert Lea I-90 Eastbound and Blue Earth I-90 Eastbound.

In May, we placed the information stands at each of the locations. They were filled with our visitor guides and throughout the rest of the year, we continued to keep filling the information stands with our Austin visitor guide.

**By the end of 2021 we had distributed an additional 3,000 Austin Visitor Guides through this distribution channel.**



# 2021 VISITOR GUIDE DISTRIBUTION

The Austin Convention and Visitors Bureau 2020 Visitor Guide continued to be used into 2021 as we had many left over from 2020 due to travel restrictions from the pandemic.



Emailed  
**1,095**

Mailed  
**306**

Displayed  
**13,557**

However, we did give them a bit of a refreshed look by placing a bright yellow sticker over the calendar of events, encouraging people to check out our website for the most up to date calendar of events information.

Finally in August of 2021 we had used the last of our 2020/2021 visitor guides and we designed and printed a new Austin Visitor Guide.

This was a 24 page publication that welcomed visitors to experience our incredible city. It supplies an area map along with information on things to do, events, dining, camping, hotels, meeting space, attractions, where to shop, services available, local clubs and organizations, and places of worship.

For this edition we did not include any local business ads.

**We did this as a way to support our local business community without having an additional cost as many were still trying to recover from the pandemic.**

## Website

In 2021 we had

**43,740**

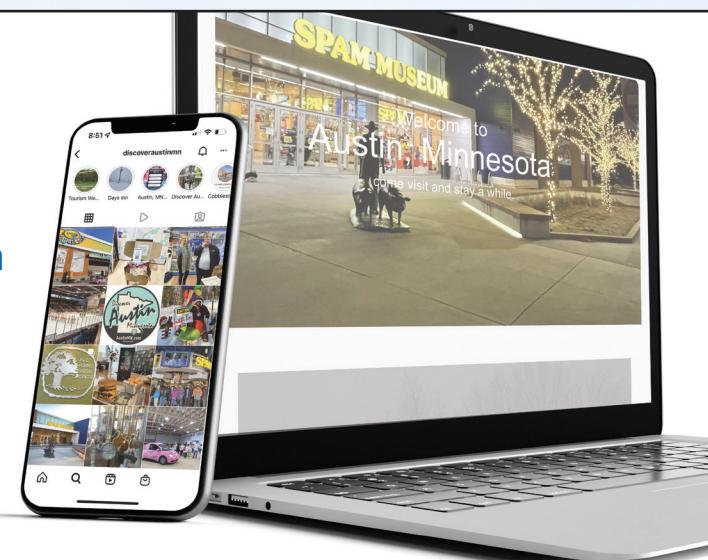
Visitors to

**AustinMN.com**

**Weekly  
Newsletter  
Distribution**

**1,704**

Subscriptions



## Social Media Outreach



**Facebook  
3,989**

7% Increase YOY



**Twitter  
547**

7% Increase YOY



**Instagram  
782**

24% Increase YOY

## Tour and Travel

**58**

Groups were welcomed to Austin in 2021

**986**

travelers from Minnesota, Iowa, South Dakota, and Wisconsin

## Overnight Travelers

**\$123,961.73**

Lodging Tax

12% Increase YOY  
35% Decline from Prepandemic 2019

THE PANDEMIC HAS HAD A **MAMMOTH** IMPACT ON TOURISM



EXPLORE **m** MINNESOTA™

# MINNESOTA TOURISM



**TOURISM HAS  
A MAMMOTH  
IMPACT ON  
THE ECONOMY**

#### DAILY IMPACT

\$32 million in average daily sales at Minnesota leisure and hospitality businesses in 2020

#### RETURN ON INVESTMENT

Every \$1 invested in Minnesota tourism marketing returns an estimated:

- \$180 in spending by travelers
- \$18 in state and local taxes

#### LEISURE & HOSPITALITY JOBS

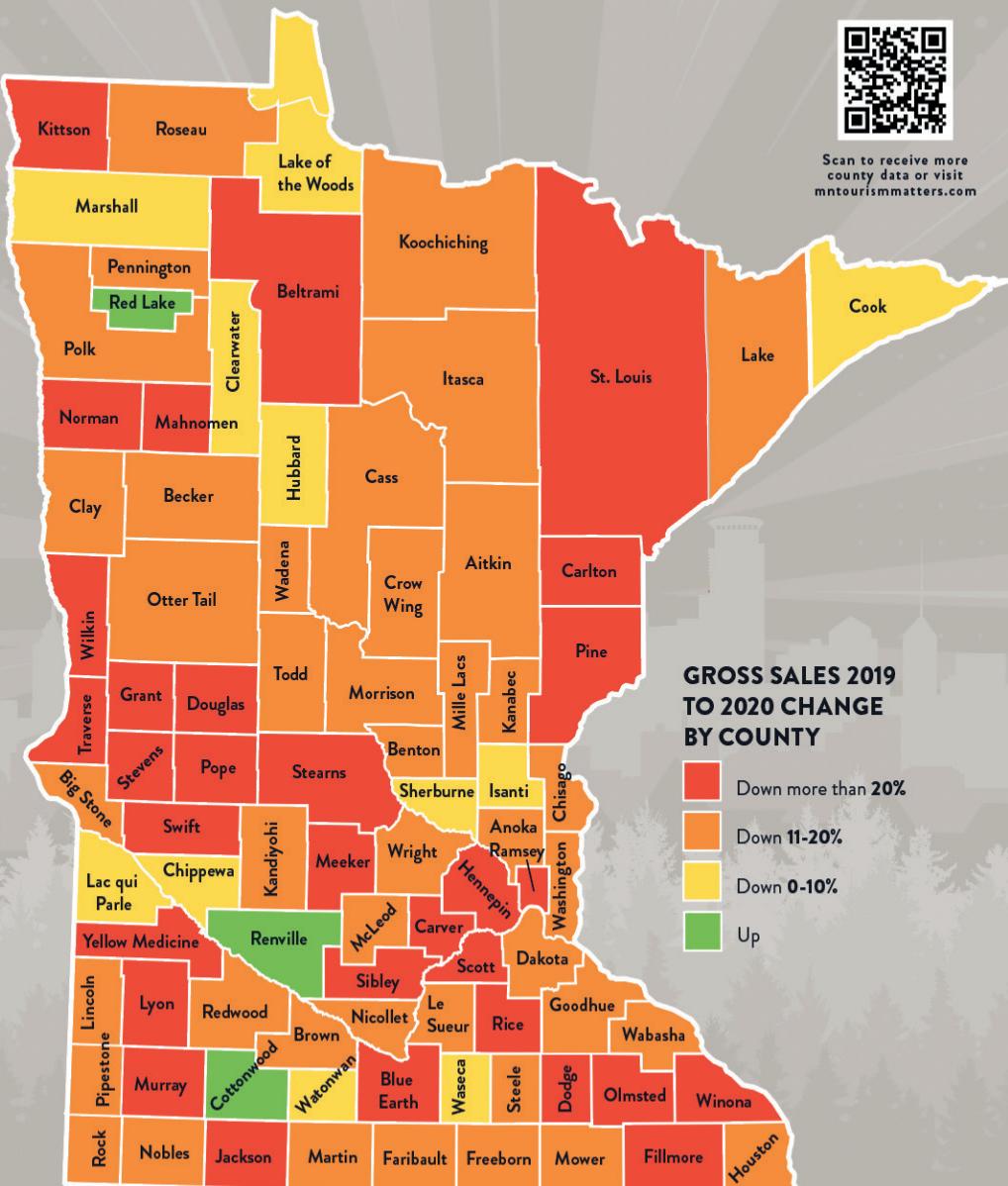
In 2020, Minnesota tourism accounted for:

- 205,000 industry jobs
- 9% of private-sector employment
- \$4.9 billion in wages

SOURCE: Minnesota Department of Revenue, SMARI 2019 Tourism Advertising ROI/Economic Impact Study, U.S. Bureau of Labor Statistics Quarterly Census of Employment and Wages (2020)

# MINNESOTA'S LEISURE AND HOSPITALITY INDUSTRY

ESSENTIAL TO A STRONG ECONOMY | FORTIFIED WITH CRISIS GRANTS | 100% RECOVERY STILL A STRUGGLE



Scan to receive more county data or visit [mntourismmatters.com](http://mntourismmatters.com)

## BUSINESS RECOVERY HAS BEEN UNEVEN

Minnesota businesses are recovering from pandemic impacts at different rates by sector. Generally, overnight accommodations and attraction and entertainment companies are recovering better than food and drink establishments.

As of late 2021, **ONLY 39%** of Minnesota leisure and hospitality firms surveyed by Explore Minnesota report being at or above pre-pandemic business levels.

SOURCE: Explore Minnesota Tourism, Hospitality Minnesota and the Federal Reserve Bank of Minneapolis, Late 2021 Survey of Minnesota Tourism and Hospitality Industry



NOTES: The Leisure and Hospitality industry consists of Accommodations; Food Services and Drinking Places; and Arts, Entertainment and Recreation.

SOURCE: Minnesota Department of Revenue

# TOURISM'S ECONOMIC IMPACT ON MINNESOTA

2020 Tourism Facts by County

<b>\$16.6</b> BILLION Leisure and Hospitality Industry Gross Sales	<b>\$1.1</b> BILLION State Sales Tax	<b>276</b> THOUSAND Jobs	<b>\$11.7</b> BILLION Leisure and Hospitality Industry Gross Sales	<b>\$731</b> MILLION State Sales Tax	<b>205</b> THOUSAND Jobs
2019	2020				

County	Gross Sales	State Sales Tax	Private Sector Employment
<b>TWIN CITIES METRO REGION</b>			
Anoka	\$539,768,235	\$35,605,698	10,406
Carver	\$174,113,613	\$11,531,652	3,645
Chisago	\$66,479,432	\$4,421,121	1,446
Dakota	\$811,285,372	\$51,913,874	14,977
Hennepin	\$3,211,248,593	\$200,048,831	57,764
Isanti	\$42,668,008	\$2,811,025	913
Ramsey	\$1,800,931,686	\$113,733,687	20,973
Scott	\$305,159,577	\$16,268,264	4,712
Washington	\$490,180,452	\$32,394,274	9,360
Wright	\$216,849,754	\$12,179,510	3,924
Region Total	<b>\$7,658,684,722</b>	<b>\$480,907,936</b>	<b>128,120</b>
<b>NORTHEAST REGION</b>			
Carlton	\$49,412,312	\$3,185,631	917
Cook	\$67,897,385	\$4,453,808	773
Itasca	\$69,954,973	\$4,358,173	1,259
Kanabec	\$14,595,215	\$984,821	274
Koochiching	\$31,056,022	\$1,968,264	528
Lake	\$37,670,370	\$2,443,071	571
Pine	\$51,230,209	\$2,816,908	815
St Louis	\$436,164,247	\$28,508,724	8,701
Region Total	<b>\$757,980,733</b>	<b>\$48,719,400</b>	<b>13,838</b>
<b>SOUTHERN REGION</b>			
Big Stone	\$5,016,463	\$362,626	100
Blue Earth	\$158,741,583	\$10,132,949	3,618
Brown	\$31,872,202	\$2,103,103	917
Chippewa	\$14,358,290	\$995,435	335
Cottonwood	\$11,599,201	\$733,992	282
Dodge	\$9,558,168	\$669,694	358
Faribault	\$8,485,102	\$585,713	208
Fillmore	\$17,390,336	\$1,190,301	461
Freeborn	\$40,083,695	\$2,686,098	993
Goodhue	\$84,785,859	\$4,940,172	1,670
Houston	\$12,713,533	\$797,886	318
Jackson	\$9,035,695	\$599,401	226
Lac qui Parle	\$4,609,820	\$324,798	90
Le Sueur	\$27,605,179	\$1,629,370	452
Lincoln	\$3,926,978	\$264,017	84
Lyon	\$44,896,494	\$2,872,221	897
Martin	\$36,387,066	\$2,314,048	707
Mower	\$47,266,755	\$3,086,045	980
Murray	\$5,968,552	\$412,297	128
Nicollet	\$33,334,753	\$2,171,444	796
Nobles	\$26,780,063	\$1,740,320	528
Olmsted	\$384,571,776	\$24,938,825	7,685
Pipestone	\$9,498,266	\$656,397	275
Redwood	\$21,496,482	\$1,247,554	326
Renville	\$7,825,955	\$551,424	184
Rice	\$102,478,485	\$5,935,397	1,869
Rock	\$9,016,360	\$622,818	232
Sibley	\$6,966,522	\$491,793	173
Steele	\$58,323,472	\$3,902,803	1,263
Swift	\$7,485,201	\$520,451	191
Traverse	\$1,451,149	\$98,651	36
Wabasha	\$24,284,370	\$1,510,318	511
Waseca	\$17,203,056	\$1,118,268	385
Watonwan	\$7,211,057	\$474,558	227
Winona	\$72,981,345	\$4,398,721	1,973
Yellow Medicine	\$12,042,943	\$493,675	204
Region Total	<b>\$1,377,252,226</b>	<b>\$87,573,583</b>	<b>29,682</b>

County	Gross Sales	State Sales Tax	Private Sector Employment
<b>CENTRAL REGION</b>			
Aitkin	\$21,536,816	\$1,417,738	458
Benton	\$47,397,678	\$3,004,627	974
Crow Wing	\$213,038,436	\$13,082,858	3,375
Douglas	\$90,603,889	\$5,794,558	1,873
Grant	\$2,834,408	\$180,887	40
Kandiyohi	\$84,479,527	\$5,388,171	1,569
McLeod	\$41,614,612	\$2,779,672	1,030
Meeker	\$13,522,446	\$899,045	363
Mille Lacs	\$51,787,315	\$2,940,681	796
Morrison	\$41,758,596	\$2,791,877	876
Otter Tail	\$81,777,455	\$5,349,506	1,760
Pope	\$12,794,312	\$859,103	298
Sherburne	\$102,079,083	\$6,802,942	2,243
Stearns	\$265,721,570	\$17,540,667	5,711
Stevens	\$12,945,194	\$714,407	285
Todd	\$16,778,443	\$1,143,372	352
Wadena	\$18,013,366	\$1,055,130	323
Region Total	<b>\$1,118,683,146</b>	<b>\$71,745,241</b>	<b>22,326</b>
<b>NORTHWEST REGION</b>			
Becker	\$62,745,614	\$3,993,486	1,472
Beltrami	\$124,161,005	\$6,402,368	1,900
Cass	\$108,181,997	\$6,670,665	1,464
Clay	\$70,133,312	\$4,524,450	1,520
Clearwater	\$5,733,481	\$362,781	146
Hubbard	\$36,107,007	\$2,406,523	648
Kittson	\$1,787,887	\$110,198	47
Lake of the Woods	\$43,719,372	\$2,268,931	453
Mahnomen	\$8,268,999	\$562,632	80
Marshall	\$4,239,491	\$324,579	90
Norman	\$2,643,193	\$178,024	48
Pennington	\$25,239,790	\$1,694,078	475
Polk	\$41,443,322	\$2,534,773	846
Red Lake	\$2,738,363	\$175,462	80
Roseau	\$16,603,605	\$1,025,719	335
Wilkin	\$2,833,474	\$210,066	N/A
Region Total	<b>\$556,579,912</b>	<b>\$33,444,735</b>	<b>9,604</b>
<b>MINNESOTA TOTAL</b>	<b>\$11,662,504,210</b>	<b>\$730,869,322</b>	<b>204,519</b>

## 2019 TO 2020 CHANGE

Down more than 20%    Down 11-20%    Down 0-10%    Up    2019/2020 data not available

 EXPLORE  
MINNESOTA  
MNTOURISMMATTERS.COM

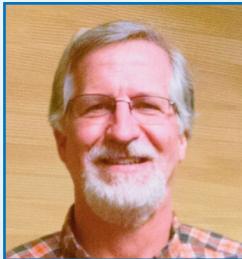
NOTES: State total does not equal the sum of counties or regions because some data is withheld to avoid disclosure of individual businesses; and some state level data is for businesses located outside of Minnesota. The Leisure and Hospitality industry consists of Accommodations; Food Services and Drinking Places; and Arts, Entertainment and Recreation.

SOURCE: Minnesota Department of Revenue, U.S. Bureau of Labor Statistics Quarterly Census of Employment and Wages (2020)

# MISSION STATEMENT

Discover Austin, Minnesota promotes tourism for the Austin Area to enhance the economy of the community

## 2021 BOARD OF DIRECTORS



**Mr. John Wright**  
Chair  
AM 1480 KAUS Radio



**Ms. Savile Lord**  
Vice Chair  
SPAM® Museum



**Ms. Chelsey Lustig**  
Secretary  
The Hormel Institute



**Mr. Jeff Baldus**  
Treasurer  
Austin Community Member



**Ms. Alexis Persons**  
Member at Large  
Riverland Community College



**Mr. Randy Forster**  
Member at Large  
Mower County Historical Society  
& Summerset Theatre



**Mr. Mike Ankeny**  
Member at Large  
Mower County Commissioner



**Mr. Kevin Nelson**  
Austin Park & Rec  
Representative



**Mr. Larry Powell**  
Lodging Property  
Representative  
AmericInn



**Ms. Elaine Hansen**  
Austin Area Chamber of  
Commerce Representative



**Mr. Mike Postma**  
City Council  
Representative

## 2021 OFFICE STAFF



**Ms. Nancy Schnable**  
Executive Director  
Full-Time



**Ms. Kara Fairfield**  
Marketing Manager  
Full-Time



301 North Main Street, Suite 101 • Austin, MN  
**507-437-4563 • [www.AustinMN.com](http://www.AustinMN.com)**

# Right of Way Permit



**Permit Type:** Street Event

**Permit Number:** 2022-103

Applicant Information		Organization Information	
<b>Primary Name</b>	Elaine Hansen	<b>Organization Name</b>	Austin Area Chamber of Commerce
<b>Primary Phone</b>	5074374561	<b>Organization Address</b>	329 N. Main St, Suite 102
<b>Primary Cell</b>	5074389768	<b>Organization City</b>	Austin
<b>Primary Email</b>	elaine@austincoc.com	<b>Organization State</b>	MN
<b>Alternate Name</b>	John Atoyebi	<b>Organization Zipcode</b>	55912
<b>Alternate Phone</b>	5074374561		
<b>Alternate Cell</b>			
<b>Alternate Email</b>	John@austincoc.com		

## Permit Information

<b>Event Title</b>	Independence Day Parade		
<b>Event Description</b>	Parade		
<b>Event Start Date</b>	July 4, 2022	<b>Event Start Date</b>	July 4, 2022
<b>Approximate Number of Participants</b>	18,000		
<b>Event Start Time</b>	07:00	<b>Event End Time</b>	14:00
<b>Portion of Street Width Being Used</b>	All lanes on Main Street. Spectators on the sidewalk and across blocked off streets.		
<b>Traffic Control Barricades Needed for Street/Lane Closure?</b>	Yes	<b>Will Traffic Control Barricades be Provided by Applicant or City?</b>	City

## Engineering Department

<b>Determination</b>	Approved	<b>Date of Approval</b>	April 13, 2022	<b>Approved By</b>	Mitch Wenum
<b>Comments</b>	City to provide barricades in locations as requested				

## Police Department

<b>Determination</b>	Approved	<b>Date of Approval</b>	April 13, 2022	<b>Approved By</b>	David McKichan
<b>Comments</b>					

## City Clerk

<b>Determination</b>	Approved	<b>Date of Approval</b>	April 13, 2022	<b>Approved By</b>	Ann Kasel
<b>Comments</b>					

<b>Final Determination</b>	Under Review
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*Disclaimer: The City is only reviewing and approving activities and installations intended to occur within the ROW and not in any way approving or providing comment on any activity that may occur on private property, the Permittee or Registrant is solely responsible for any and all entries, activities, or installations upon private property.*



329 N. Main, Suite 102 Austin, MN 55912

**STREET DEPARTMENT REQUESTS**  
**JULY 4, 2022**

**CONES & DELINEATORS (RED)**

**BARRICADES (BLUE)**

**PARADE ROUTE**

NOTE: Parade starts at 11 a.m. Monday, July 4. We will line up units in the area between 8th and 11th Ave. NW, beginning at 9 a.m. Parade route is straight south on Main Street to Lafayette Park. We will review with Tony Martin (City) and Lt. Hartman (before event).

**Parade Use Cones**

July 1—Drop **80 Safety Cones** — We will use these cones for parade staging. These should be dropped off near the corner of Main and 8th Avenue (in SW corner of Apple Valley Foods/Bellisio parking Lot) and picked up July 5.

**Parade Route Barricades**

July 1 - Dropped

July 4 - Barricades up at 1000 hours

Parade starts at 1100 hours

**PARADE ROUTE BARRICADES**

- 4 - Main Street North at 11 AV
- 4 - Apple Valley Foods/Bellisio parking lot
- 6 - Main Street North St at 8 AV NE
- 4 - 4 St NE at Hormel Parkway
- 2 - Main Street North St at 7 PI NW
- 2 - Main Street North at Cedars Parking lot
- 2 - Main Street North at former YMCA Parking lot
- 3 - 1 Drive NW at 1 St NW (point by Farmers & Merchants Bank)
- 4 - Main St North at 1 DR NW
- 3 - Main St North at 4 Ave NE
- 3 - Main St North at 4 Ave NW
- 2 - Main St North at 3 Ave NW
- 2 - Main St North at 3 Ave NE
- 3 - Main St North at 2 Ave NW
- 3 - Main St North at 2 Ave NE
- 3 - Main St North at 1 Ave NE
- 3 - Main St North at 1 Ave NW
- 4 - Oakland Ave East at 4 St NE
- 1 - Detour Sign on Oakland Ave East at 4 St NE
- 1 - Detour Sign on 1 Ave SW at 4 St SW
- 4 - 1 Ave SW at 1 St SW
- 3 - Main St South at 2 Ave SE
- 3 - Main St South at 2 Ave SW
- 3 - Main St South at 3 Ave SE
- 3 - Main St South at 3 Ave SW
- 4 - 8 Ave SE at 2 St SE

- 4 - Oakland Ave East at 1 Street
- 1 - Detour sign 8 Ave SE at 4 St
- 1 - Detour Sign 9 PI SW at 4 St
- 3 - Main St South at 4 Ave SE
- 4 - Horace Park lot entrance
- 2 - Alley north of Brick Furniture

*Please have the sidewalk for the bridge near Lafayette Park roped off for handicapped accessible/walking.*



329 N. Main, Suite 102 Austin, MN 55912

April 1, 2022

Mayor Steve King  
Members of the Council  
City of Austin

Mayor King, Councilmembers:

The Austin Area Chamber of Commerce is excited to again be organizing the 2022 Austin Independence Day Parade. The parade will begin at 11:00 a.m. on Monday, July 4th with staging starting at 9:00 a.m. Permission to use private parking lots along that area for staging has been secured. The parade route will be one mile straight south along Main Street to Lafayette/Marcusen Park.

Please find attached our requests for the Street and Police Departments.

Thank you for your cooperation and support of the Independence Day Parade. This parade request is the same as in prior years. Please advise of any additional information required or concerns that you may have regarding the parade.

Sincerely yours,

A handwritten signature in blue ink that reads "Jeanine Nelson".

Jeanine Nelson  
Member Relations/Major Events  
Austin Area Chamber of Commerce

Enclosures



329 N. Main, Suite 102 Austin, MN 55912

### **POLICE DEPARTMENT REQUESTS**

**JULY 3 & 4, 2022**

#### **Sunday, July 3**

##### **Parade Route Preparation**

2200 hours or later: Place "No Parking" signs.

Main Street North going south from 8<sup>th</sup> Avenue N to Lafayette Park

Along 9<sup>th</sup> Place SW from 4<sup>th</sup> Street to Main Street. (This may already be requested by AEG)

#### **Monday July 4 – Parade**

Police Reserves secure start

##### **Parade, Starts 1100 hours**

Parade Route: Staged along Main Street (including adjacent parking lots from 11<sup>th</sup> to 8<sup>th</sup> Ave. North.

Parade starts at intersection of 8<sup>th</sup> Ave. and Main Street, then south to Lafayette Park.

0900 hours: Parade line up begins on Main Street and adjacent lots between 8<sup>th</sup> and 11<sup>th</sup> Ave N

1030 hours: Place barricades and detour signs at intersections prior to parade

10:40 hours: Reserve squad car clears the entire route ahead

10:45 hours: Minny Piggy Mile run starts

1100 hours: Parade begins with police squad car in lead

**CITY OF AUSTIN  
MOWER COUNTY  
STATE OF MINNESOTA**

Council member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION ADOPTING A WRITTEN SPENDING PLAN FOR TAX  
INCREMENT FINANCING (REDEVELOPMENT) DISTRICT NO. 11**

BE IT RESOLVED, by the City Council (the "Council") of the City of Austin, Minnesota (the "City") as follows:

**Section 1. Recitals**

- 1.01. The Council established Tax Increment Financing (Redevelopment) District No. 11 (the "District") within Municipal Development District No. 1, pursuant to, and in accordance with, Minnesota Statutes, Sections 469.174 to 469.1794, inclusive, as amended.
- 1.02. The City is proposing the adoption of a Written Spending Plan for the District, pursuant to, and in accordance with, Minnesota Statutes, Sections 469.176, Subd. 4n inclusive, as amended, in substantially the form submitted to the Council (the "Spending Plan") to utilize unobligated tax increment revenues from the District in order to stimulate construction or substantial rehabilitation of private development in a way that will also create or retain jobs.
- 1.03. The financing to be offered pursuant to the Spending Plan is intended to be for housing projects and therefore is not subject to Minnesota Statutes, Sections 116J.993 to 116J.995, as amended (the "Business Subsidy Act").
- 1.04. The City has performed all actions required by law to be performed prior to the adoption of the Spending Plan, including, but not limited to, causing notice of a public hearing to be published and holding a public hearing on the Spending Plan.

**Section 2. Approval**

- 2.01. The Spending Plan for the District is hereby approved and adopted in substantially the form submitted to the Council.

The motion for the adoption of the foregoing resolution was duly seconded by Council member \_\_\_\_\_, and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Dated: May \_\_\_, 2022

ATTEST:

---

Mayor

---

City Recorder

(Seal)

---

**NOTICE OF PUBLIC HEARING**

**CITY OF AUSTIN  
MOWER COUNTY  
STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council (the “Council”) of the City of Austin, Mower County, State of Minnesota, will hold a public hearing on Monday, May 2, 2022, at approximately 5:30 P.M. at the City Council Chambers in City Hall, 500 4th Avenue NE, Austin, Minnesota, relating to the City’s proposed written spending plan (the “Spending Plan”) authorizing and detailing the transfer of unobligated tax increment, pursuant to the temporary authority provided under Minnesota Statutes, Section 469.176, subdivision 4n. Copies of the Spending Plan are on file and available for public inspection at the office of the City Recorder at City Hall.

All interested persons may appear at the hearing and present their views orally or prior to the meeting in writing. Any person wishing to monitor the meeting from a remote location should do so by tuning in to Charter Channel 180. Anyone not able to do so, or anyone wishing to address the council should contact Ann Kasel at (507) 437-9943 to make arrangements in advance.

**BY ORDER OF THE CITY COUNCIL OF  
THE CITY OF AUSTIN, MINNESOTA**

/s/  
City Recorder



**Spending Plan  
for  
Tax Increment Financing  
(Redevelopment) District No. 11  
within  
Municipal Development District No. 1**

**City of Austin, Minnesota**

**Prepared by**

**Baker Tilly Municipal Advisors, LLC**

**Draft Dated: March 30, 2022**

**Review by City Council: April 4, 2022**

**Anticipated Public Hearing and Approval by City Council: May 2, 2022**

Baker Tilly Municipal Advisors, LLC is a registered municipal advisor and controlled subsidiary of Baker Tilly US, LLP, an accounting firm. Baker Tilly US, LLP trading as Baker Tilly is a member of the global network of Baker Tilly International Ltd., the members of which are separate and independent legal entities.

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Baker Tilly Municipal Advisors, LLC is a registered municipal advisor and controlled subsidiary of Baker Tilly US, LLP, an accounting firm. Baker Tilly US, LLP trading as Baker Tilly is a member of the global network of Baker Tilly International Ltd., the members of which are separate and independent legal entities.

**SPENDING PLAN  
FOR TAX INCREMENT FINANCING (REDEVELOPMENT) DISTRICT NO. 11**

**Introduction**

The State Legislature amended the TIF law (the "Law") in 2021 to provide flexibility to cities to utilize unobligated tax increment revenues in their districts to promote construction and job creation in their communities. Increments expended under the Law do not count against the pooling limitations of the districts, which for the City's identified district, is 25% of the TIF collected over the life of the district.

The law allows authorities (Cities, HRAs, EDAs) to provide improvements, loans, interest rate subsidies, or assistance in any form to private development consisting of the construction or substantial rehabilitation of buildings and ancillary facilities if it will create or retain jobs in this state, including construction jobs. In addition, they can make an equity or similar investment in a corporation, partnership, or limited liability company that they determine it is necessary to make construction of private development happen. The City has until December 31, 2022 to transfer the funds to another designated City fund, and the dollars must be expended by December 31, 2025. Any unused TIF dollars must be returned to the applicable TIF district after this date.

The City of Austin established Tax Increment Financing (Redevelopment) District No. 11 (the "TIF District") in 2000 to achieve redevelopment and development objectives of the City. The TIF District is administered by the City of Austin and has been identified as a TIF District that contains unobligated tax increment revenues. The following text represents the Spending Plan for Tax Increment Financing District No. 11.

**Section A Purpose**

Tax Increment Financing (Redevelopment) District No. 11 is administered by the City of Austin, Minnesota (the "City"). The City proposes to adopt a Spending Plan for the TIF District in accordance with Minnesota Statutes, Section 469.176 Subd. 4n.

The purpose of the Spending Plan is to assist in the private development or redevelopment of sites or lands or areas within the City in conformity with the City's Comprehensive Plan or other City plans or objectives using unobligated tax increment revenues from the TIF District. The unobligated tax increments are to be utilized for one of the following purposes:

- 1) to provide improvements, loans, interest rate subsidies, or assistance in any form to the private development consisting of the construction or substantial rehabilitation of buildings and ancillary facilities if the following conditions exist:
  - a. it will create or retain jobs in the state, including construction jobs;
  - b. construction commences before December 31, 2025 and
  - c. the construction would not have commenced before that date without the assistance.
- 2) to make an equity or similar investment in a corporation, partnership, or limited liability company that the City determines is necessary to make construction of a development that meets the requirements of the law financially feasible.

The City Council must approve a written spending plan by December 31, 2022 (after a properly noticed public hearing) that specifically authorizes the City to take such actions. The City must provide to the Office of the State Auditor a copy of the spending plan approved and signed by the City. As identified within the Minnesota Office of the State Auditor's August 2021 Statement of Position - Temporary Transfer Authority (2021 Law) included as Exhibit I, any tax increments authorized under the spending plan must be transferred out of the applicable TIF Fund by December 31, 2022 and spent by December 31, 2025. Any funds unspent shall be returned to the originating TIF Fund.

The City has been working in partnership with the Austin Housing and Redevelopment Authority (HRA) on potential new affordable housing developments. Proposed projects are projected to experience financial gaps, for which additional financial resources will be necessary to allow for the project to proceed. The City has identified these projects as potential qualifying uses for which unobligated tax increments as further described in the next section of the Spending Plan will be necessary to fill a financial gap and allow for construction to occur.

The assistance provided pursuant to this Plan shall be subject to Minnesota Statutes, Sections 116J.993 to 116J.995 (the "Business Subsidy Law"), if applicable, and shall be subject to the City's Business Subsidy Policy.

#### **Section B Unobligated TIF Funds**

The City has identified an estimated total of \$548,465 of unobligated tax increments that are anticipated to be available as of December 31, 2022 within the TIF District. It is anticipated the unobligated tax increments will be used on eligible costs of the affordable housing projects that may include acquisition, demolition, site improvements/preparation costs, construction of public improvements, construction of affordable housing and other related expenses associated with development of the projects.

#### **Section C Spending Plan**

Under the Spending Plan, the City is authorized and has authorized the HRA as follows:

1. To use unobligated tax increments from the TIF District to provide improvements, loans, interest rate subsidies, or assistance in any form to private development consisting of the construction or substantial rehabilitation of buildings and ancillary facilities in financing assistance to further the goals in the City's Comprehensive Plan or other City plans or objectives, if doing so will create or retain jobs in the state, including construction jobs. Each project shall be considered and subject to approval by the City.

The assistance authorized under this Spending Plan is intended further the goals within the City's Comprehensive Plan and other City plans or objectives. Preference for financing assistance will be for the HRA's proposed affordable housing apartment project including public improvements, site preparation, affordable housing construction and other development costs related to construction of the project. The Project shall commence before December 31, 2025 (unless a later commencement date is authorized by law) and shall constitute Projects that would not commence by such date without the assistance provided pursuant to this Spending Plan.

2. To administratively amend the budget set forth in the Tax Increment Financing Plan for the TIF District as necessary to provide for the assistance authorized by this Spending Plan.
3. To take any other action necessary and authorized under the Act in connection with the construction or substantial rehabilitation of facilities of the type described in clause (a) above.
4. To authorize and direct staff to maintain a copy of this Spending Plan with the City's records for the TIF District, and to file a copy of the Spending Plan with the Office of the State Auditor.

In 2021, the Legislature enacted expanded, temporary authority to transfer unobligated tax increments for purposes of assisting private development consisting of the construction or substantial rehabilitation of buildings and ancillary facilities, if doing so will create or retain jobs in the state. Proposed amidst the COVID-19 pandemic, the enacted law is narrower than initially proposed and is similar to 2010 legislation that temporarily expanded the use of TIF with the aim of stimulating economic recovery after the Great Recession.

## **Authority and Purposes**

The new law temporarily permits a development authority to elect, by resolution, to transfer unobligated increment for certain specified purposes. The new law does not, however, override requirements to pay bonds to which increments are pledged.

Any transfer under this provision must be for the purpose of assisting private development that meets all of the following criteria:

1. it consists of the construction or substantial rehabilitation of buildings and ancillary facilities;
2. it creates or retains jobs in the state, including construction jobs; and
3. construction commences before December 31, 2025 and would not have commenced before that date without the assistance.

Developments that would already commence construction prior to December 31, 2025, or those that do not add or retain jobs in the state, would not be permitted beneficiaries of the transfer. Transfers must provide the assistance in one or both of the following ways:

1. by providing improvements, loans, interest rate subsidies, or assistance in any form to the private development; or
2. by making an equity or similar investment in a corporation, partnership, or limited liability company that the authority determines is necessary to make construction of a development financially feasible.

In order to demonstrate compliance with the new provision, an authority may wish to include affirmation of the qualifications in the written resolution electing to make the transfer. The authority also should keep documentation that demonstrates that the development created or retained jobs in the state and that commencement of construction by December 31, 2025, depended on the transfer.

## **Approvals and Spending Plans**

Prior to approving the use of this temporary transfer authority by resolution, a development authority must also create a written spending plan that authorizes the development authority to provide the assistance or make the investment that makes the development qualify. The plan must detail the use of transferred increment. The OSA recommends identifying planned expenditures using the same categories identified in TIF plans and TIF reporting (e.g., acquisition, site preparation, financing costs, etc.), except for a category for administrative expenses, because administrative expenses are not included in the permissible uses of the transferred increment in the new law.

The municipality (which may or not be the same as the development authority) must also approve the authority's spending plan after holding a public hearing. The municipality must publish notice

of the hearing in a newspaper of general circulation in the municipality and on the municipality's public website at least ten days, but not more than 30 days, prior to the date of the hearing.

An authority making a transfer under this authority must provide a copy of the spending plan approved and signed by the municipality to the Office of the State Auditor. Plans should be emailed to [TIF@osa.state.mn.us](mailto:TIF@osa.state.mn.us) as soon as possible after their approval.

### **Parameters and Limitations**

The authority to transfer increments under this provision expires on December 31, 2022. Amounts being transferred under this provision must be transferred from the fund or account in which tax increments are segregated and into a separate fund or account by December 31, 2022. Amounts must not be expended directly from the transferring TIF fund or account, and may not be spent after December 31, 2022, if they remain in the TIF district's fund or account at that time. All transfers must be spent by December 31, 2025.

Transfers from a TIF district in calendar years 2021 and 2022 are limited to a maximum transfer equal to the excess of the district's unobligated increment. Under the provision, unobligated increment includes any increment not required for payment of obligations due during the six months following the transfer on outstanding bonds, binding contracts, and other outstanding financial obligations of the district to which the district's increment is pledged. Therefore, the transfer of increment for 2021 is limited to the eligible balance of tax increment at the end of 2020, less amounts needed to pay bonds, pay-as-you-go notes, and interfund loans due from January 1, 2021, to June 30, 2021. Similarly, the transfer of increment for 2022 is limited to the eligible balance of tax increment at the end of 2021, less amounts needed to pay bonds, pay-as-you-go notes, and interfund loans due from January 1, 2022, to June 30, 2022.

Presumably, receipts of tax increment for the first half taxes in each year would be used to make payments on outstanding obligations due in the second half of each year, but note that this authority does not provide any exception to pay those obligations to which tax increment is pledged, and an authority should not transfer amounts that might impair their ability to make payments on those obligations.

Increment that is improperly retained, received, spent, or transferred is not eligible for transfer under this authority. Therefore, the 2020 and 2021 balances of tax increment should be carefully evaluated prior to making transfers in 2021 and 2022, respectively. For example, excess increment calculated for 2019 that might remain in the TIF fund after it should have been returned by September 30, 2020, would not be eligible for transfer, nor would any subsequent excess increment be eligible for a transfer after it should have been returned. Likewise, if a district receives tax increment after it should have decertified under the Six-Year Rule, such amounts of increment would also not be eligible for transfer.

### **Unspent Transfers**

Increment not spent by December 31, 2025, must be returned to the fund(s) of the contributing TIF district(s). The distribution of returned amounts need not be proportional to the amount contributed, but the amount returned to each TIF district must not exceed the amount transferred from the district.

## MEMORANDUM

**TO:** Tom Dankert  
**FROM:** Grant Turpin  
**DATE:** March 29, 2022  
**RE:** Transfer of Unobligated TIF and Written Spending Plan

Tom, you have asked for approval of the City's proposed transfer of unobligated tax increment ("TIF") and the City's proposed written spending plan detailing the use of such transferred TIF (the "Plan"), pursuant to Minnesota Statutes, Section 469.176, Subdivision 4n (the "Temporary Authority").

Based on our discussions with Baker Tilly Municipal Advisors, LLC, the City's municipal advisor (the "Municipal Advisor"), and our review of the Plan prepared by the Municipal Advisor, the City is permitted under the Temporary Authority to transfer unobligated TIF in the manner contemplated by the Plan, and the Plan meets the criteria set forth in the Temporary Authority.

Under the Temporary Authority, the City "may elect, by resolution, to transfer unobligated increment . . . to provide improvements, loans, interest rate subsidies, or assistance in any form to private development consisting of the construction or substantial rehabilitation of buildings and ancillary facilities, if doing so will create or retain jobs in the state, including construction jobs, and the construction commences before December 31, 2025, and would not have commenced before that date without the assistance."<sup>1</sup>

According to the Plan, the City has an estimated total of \$548,465 of unobligated TIF to transfer for the purposes set forth above, and the City, in cooperation with the HRA, intends to use the unobligated TIF for affordable housing projects. It has been represented that none of the amount in the preceding sentence constitutes "excess increments," as such term is defined in Minnesota Statutes, Section 469.176 Subdivision 2, and, accordingly, is available for transfer.

Additionally, in accordance with guidance from the Office of the State Auditor,<sup>2</sup> the Plan identifies planned expenditures using the same categories identified in TIF plans and TIF reporting, and pursuant to the Temporary Authority the Plan also authorizes the HRA to transfer TIF under the Plan.

Going forward, in order to be in compliance with the Temporary Authority, the City must now approve the Spending Plan after a noticed public hearing<sup>3</sup> and provide to the Office of the State Auditor a copy of the Spending Plan approved and signed by the City.<sup>4</sup>

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<sup>1</sup> MN STATS. 469.176 SUBD. 4n(a)(1).

<sup>2</sup> <https://www.osa.state.mn.us/media/3rdd1jma/temporary-transfer-authority-statement.pdf>.

<sup>3</sup> MN STATS. 469.176 SUBD. 4n(c).

<sup>4</sup> MN STATS. 469.176 SUBD. 4n(e).

## HOUSING TAX ABATEMENT APPLICATION

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

Property Owner / Applicant:

Dr. Caleb Tsetse

Current Address:

1310 21st Ave NW, Unit 210, Austin, MN, 55912.

Telephone:

516-428-1944

E-Mail:

dr.ctsetse1@gmail.com

Has applicant ever defaulted on property taxes?

 Yes No

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

Are property taxes current?  Yes  NoProposed Project:  New Construction  Replacement of housing unitProject Type:  Single Family  Duplex  Multi-family

Project Address: 1805 18th Dr. NE, Austin, MN, 55912.

Project Legal Description: Lot 2, Block 1, Nature Ridge 3rd.

Parcel Number: 34.468.0020

Estimated Project Valuation: \$ 757,126

Applicant Statement:

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

I wish to apply for the five-year property tax abatement for construction of my new single-family home in Austin, MN in compliance with policy. Thank you.

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)

4/1/2022

Date

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)

4/1/2022

Date

## 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 the 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 1<sup>st</sup> Street NE, Suite 9, Austin, MN 55912

507-437-9549

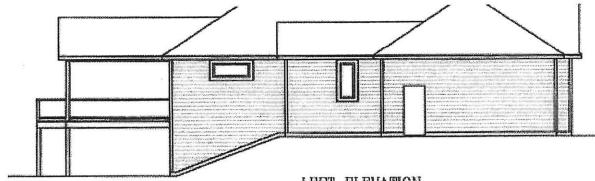
Office Hours: M-F 8 a.m. - 4:30 p.m.

deniseb@co.mower.mn.us

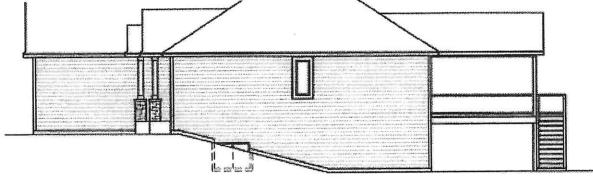
PROGRESSIVE PLAN  
DESIGN LLP  
RESIDENTIAL ARCHITECTURE  
DESIGNER IN THE FINEST TRADITION

CONTRACTOR  
MED CITY BUILDERS  
OWNER  
TSETSE RESIDENCE

R.H.  
3/9/22  
2112955  
NOTED  
N.W. 100



LEFT ELEVATION  
SCALE 1/8"=1'-0"



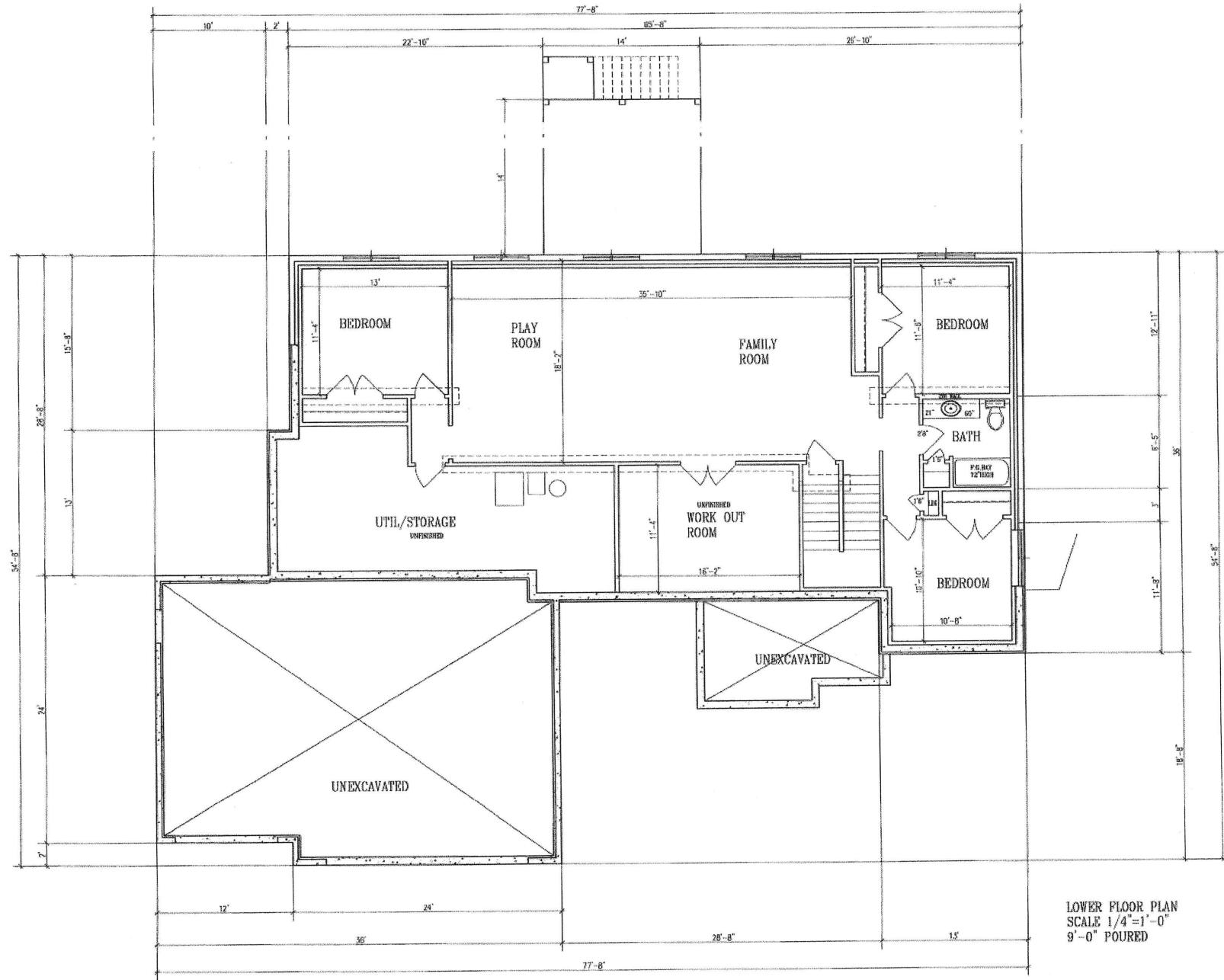
RIGHT ELEVATION  
SCALE 1/8"=1'-0"



REAR ELEVATION  
SCALE 1/8"=1'-0"



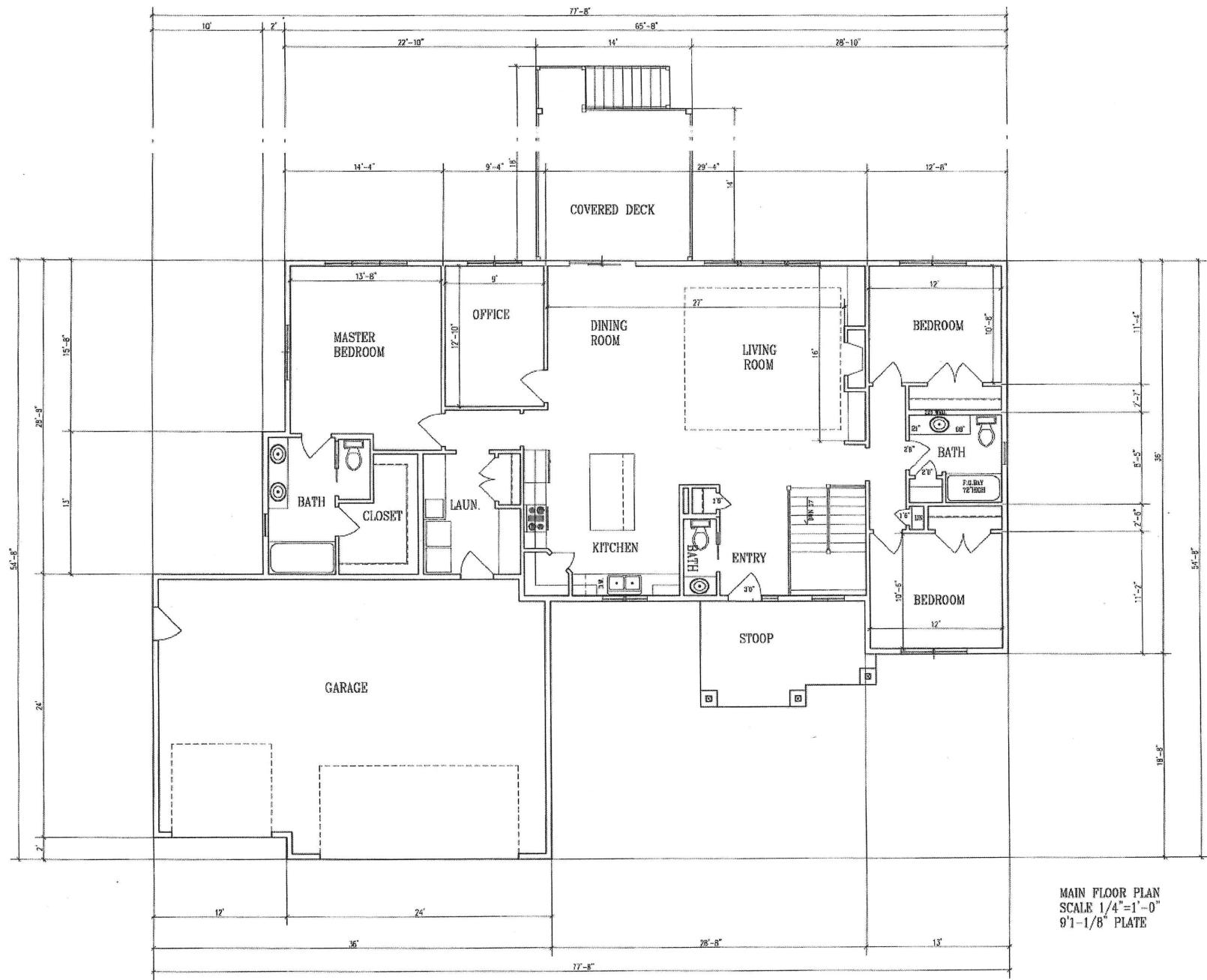
FRONT ELEVATION  
SCALE 1/4"=1'-0"



PROGRESSIVE PLAN  
DESIGN LTD.  
IDENTICAL ARCHITECTURE  
1000 M. W. HOGUE, INC.  
PROFESSIONAL ENGINEERS AND ARCHITECTS  
2097

CONTRACTOR: MED CITY BUILDERS  
OWNER: TSETSE RESIDENCE

DATE: 2/11/95  
2094  
2112955  
NOTED  
1000 M. W. HOGUE, INC.



MAIN FLOOR PLAN  
SCALE 1/4"=1'-0"  
9'1-1/8" PLATE

MED CITY BUILDERS  
TSETSE RESIDENCE

**PROGRESSIVE PLAN  
DESIGN LLP**

As previously mentioned, the *Journal of the American Medical Association* has published a number of articles on the subject of the use of the sulfonamides in the treatment of gonorrhoea. The following is a brief summary of the results of these studies:

CONTRACTOR	GENERAL
Henry P. R.H.	
ST. NO.	2094
ST. NO.	2112955
DATE	NOTED
DATE	

# PROGRESSIVE PLAN DESIGN LLP

RESIDENTIAL ARCHITECTURE

714 County Rd 3 NW Byron MN 56920

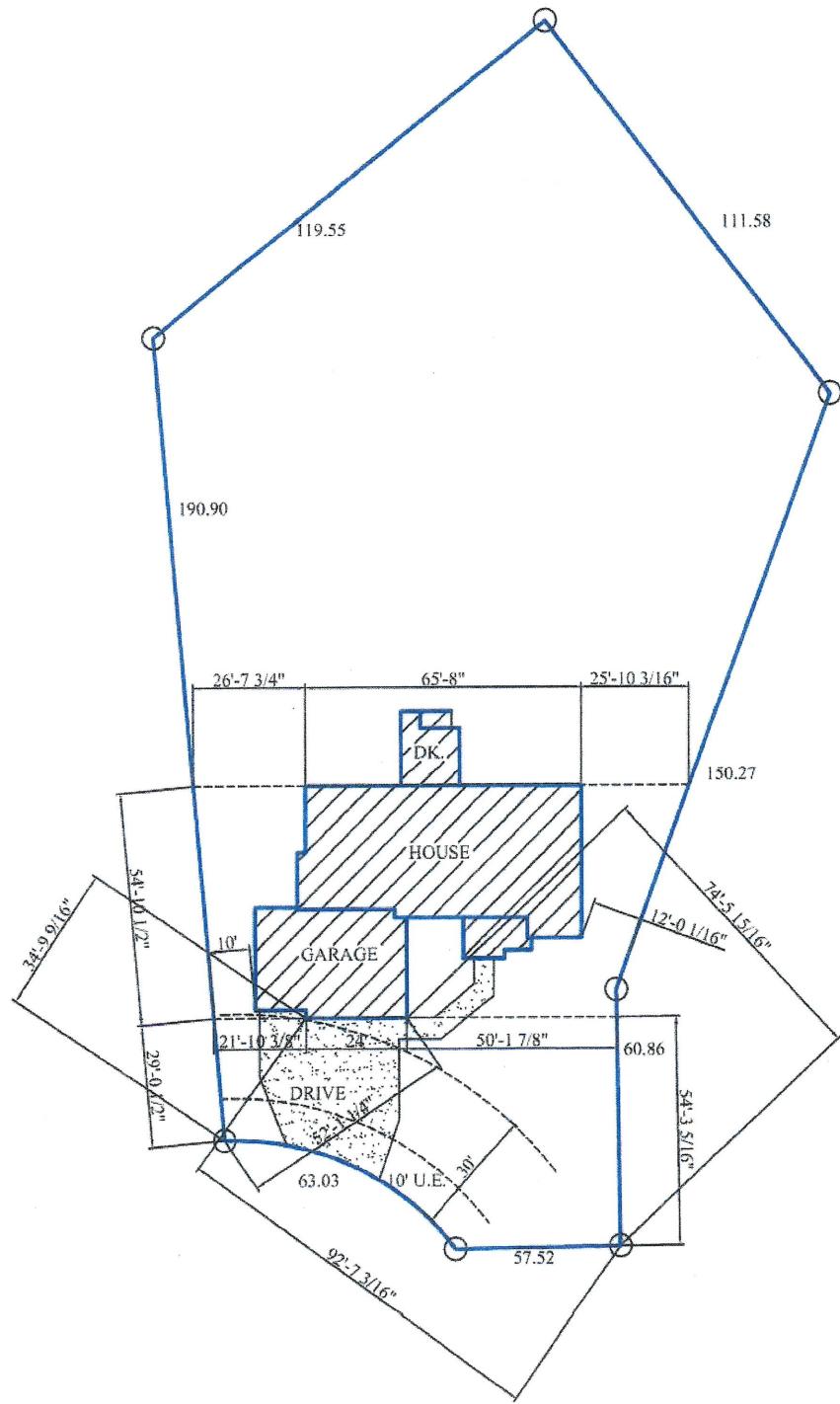
(507)775-6877 progressiveplandesign@gmail.com

LOT,2 BLK.1  
SUBDIVISION:NATURE RIDGE 3RD  
CITY:AUSTIN STATE: MN

CONTRACTOR:MED CITY BUILDERS  
CUSTOMER:TSETSE



SCALE: 1" = 40'



## PURCHASE AGREEMENT

**RECEIVED OF** Caleb Tsetse the sum of \$2,000.00 as earnest money in part payment for the purchase of property in Mower County, Minnesota, described as:

Lot 2, Block 1, Nature Ridge Third in Outlot D & Outlot E, Nature Ridge and NE 1/4 SE1/4 Section 35-T103N-R18W Austin, Mower County, Minnesota.

**LEGAL TO GOVERN**, all of which property the undersigned has this day sold to the buyer for the sum of \$60,000.00, which the buyer agrees to pay as follows: Earnest money of \$2,000.00 and \$58,000.00 cash on or before June 1, 2022.

The seller shall pay the real estate taxes due and payable in the year 2021. Seller and buyer shall prorate the real estate taxes due and payable in the year 2022 to the date of closing. The buyer shall pay the real estate taxes due and payable in the year 2023 and thereafter.

Any special terms, conditions or representations, not readily determined by actual inspection are to appear on the reverse side of this contract.

Subject to performance by the buyer, the seller agrees to execute and deliver a Warranty Deed conveying a marketable title to said premises subject only to the following exceptions: (a) Building regulations, zoning laws, ordinances, state and federal regulations, (b) Restrictions relating to use or improvement of premises not subject to unreleased forfeiture, (c) Reservation of any minerals or mineral rights to the State of Minnesota. Utility Easements. Subject to rights of tenants, if any.

Seller certifies that there are no wells or septic system on said property.

To the best of Seller=s knowledge, there are no hazardous substances or underground storage tanks except herein noted: NONE.

Seller is not aware of any methamphetamine production that has occurred on the property.

The seller further agrees to deliver possession not later than June 1, 2022 PROVIDED THAT ALL THE CONDITIONS OF THIS AGREEMENT HAVE BEEN COMPLIED WITH. Closing date shall be on or before June 1, 2022.

The Seller shall at its sole cost and expense provide Buyer with a current Commitment from a title insurer acceptable to Buyer for issuance of an Owner's Title Insurance Policy (the "Title Commitment"). Buyer shall be allowed twenty (20) days after receipt of the Title Commitment for examination and the making of any objections thereto, such objections (exclusive of any of the Permitted Title Exceptions) to be made in writing or deemed to be waived. If any objections are so made, Seller shall be allowed sixty (60) days after receipt of such objections to make title marketable. If title is not marketable and is not made to within said sixty (60) days of this Agreement, Buyer may either (i) waive the uncured title defect and proceed with this transaction; (ii) terminate this Agreement by written notice to Seller, whereupon the Earnest Money shall be returned to Buyer and the parties shall be relieved of all further liability under this Agreement; (iii) exclude from this Agreement in writing the portions of the Property affected by

the uncured title defect and proceed with this Agreement as to the remainder of the Property, with appropriate adjustment in the Purchase Price. If the title to the Property is found marketable or is made so within said time, and this Agreement is terminated by Seller in accordance with Minnesota Statutes Section 559.21, all Earnest Money shall be retained by Seller as liquidated damages.

(1) The following shall be Permitted Title Exceptions:

- (a) Easements of record which do not interfere with the Buyer's intended use of the Property.
- (b) Reservations of minerals or mineral rights by the State of Minnesota.
- (c) Building, zoning and subdivision laws and regulations provided the Property and its current use are in compliance with the same.
- (d) The lien of real estate taxes which are payable by Buyer pursuant to the terms and conditions of this Agreement.

(2) The following shall not be Permitted Encumbrances:

- (a) Any mortgage now of record against the Property.
- (b) Judgments or liens not satisfied at or before Closing.
- (c) Real estate taxes and special assessments which are the responsibility of Seller pursuant to the terms and conditions of this Agreement.

Buyer has a general willingness to take title subject to the listed Permitted Title Exceptions subject to the other provisions of this Agreement and to an examination of title based upon the Minnesota Title Standards and upon Minnesota law.

Buyer also reserves the right to evaluate the Permitted Title Exceptions in the light of Buyer's intended uses and enjoyment of the Property. Buyer shall have until the end of the period for stating Title Objections under subparagraph B above to make the evaluation and determine if these title issues will affect Buyer's intended use and enjoyment of the Property. If Buyer, in Buyer's sole discretion, determines that these title issues will adversely affect Buyer's intended use and enjoyment of the Property, Buyer may declare this Purchase Agreement void by timely notice to Seller, neither party shall be liable for damages hereunder to the other, and earnest money shall be refunded to Buyer. If the period for stating Title Objections passes without Buyer's declaring that these title issues will adversely affect Buyer's intended use and enjoyment of the Property, then, subject to Seller's covenant to deliver a good and marketable title of record, Buyer shall take title subject to all Permitted Title Exceptions.

By delivery of the foregoing documents to Purchaser, Seller shall be deemed to have represented that all such documents and information are to Seller's Knowledge true, correct and complete.

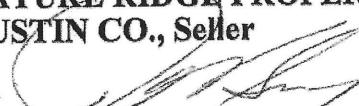
Buyer shall pay for the cost of an Owner's Title Insurance Policy.

I hereby agree to sell/purchase the said property for the price and upon the terms above mentioned, and subject to all conditions herein expressed.

Dated this 10<sup>th</sup> day of November, 2021.

**NATURE RIDGE PROPERTIES OF  
AUSTIN CO., Seller**

By

  
Paul V. Sween, Its Manager

Buyer

By

  
Caleb Tsetse

**THIS IS A LEGALLY BINDING CONTRACT BETWEEN BUYER AND  
SELLER. IF YOU DESIRE LEGAL OR TAX ADVICE, CONSULT AN  
APPROPRIATE PROFESSIONAL.**

PAJMS\Paul Assignment\95659 Nature Ridge Properties of Austin Co. v. Caleb Tsetse\2021\_11\_02 95356 Draft PURCHASE AGREEMENT Lot 2, Block 1, Nature Ridge 3rd.docx

**CITY OF AUSTIN  
COUNTY OF MOWER  
STATE OF MINNESOTA**

**NOTICE OF PUBLIC HEARING  
ON TAX ABATEMENT REQUEST**

NOTICE IS HEREBY GIVEN that the City Council (the “Council”) of the City of Austin, Mower County, Minnesota, will hold a public hearing on Monday, May 2, 2022 at 5:30 p.m. to consider a tax abatement request from Caleb Tsetse, pursuant to Minnesota Statutes 469.1813 and 116J.993 through 116J.995. The request is to abate 100% of the City’s portion of real estate taxes related to the new residential improvements on the subject property for a period of 5 years. The estimated amount of the abatement is \$20,630. The subject property is located at 1805 18<sup>th</sup> Drive NE, Austin, Minnesota and is legally described as:

Lot 2, Block 1, Nature Ridge Third Addition to the City of Austin, County of Mower

The public hearing will be held in the City Council Chambers, at City Hall, 500 4<sup>th</sup> Avenue NE, Austin, Minnesota. All interested persons are invited to attend and be heard. Those unable to attend are invited to send written comments, prior to the hearing, to: City Administrator, City of Austin, 500 4<sup>th</sup> Avenue NE, Austin, Minnesota 55912.

Publish: April 16, 2022

**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**, Caleb Tsetse is the owner of certain property within the City of Austin legally described as follows:

Lot 2, Block 1, Nature Ridge Third Addition to the City of Austin, County of Mower

**WHEREAS**, Caleb Tsetse has made application to the City of Austin for the abatement of taxes as to the above-described parcel; and

**WHEREAS**, Caleb Tsetse has 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 2nd day of May, 2022.

Yea

Nay

ATTEST:

APPROVED

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City Recorder

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Mayor

# 2022 Street Reconstruction

40<sup>th</sup> Street NW  
5<sup>th</sup> Avenue NW  
Asphalt Paving



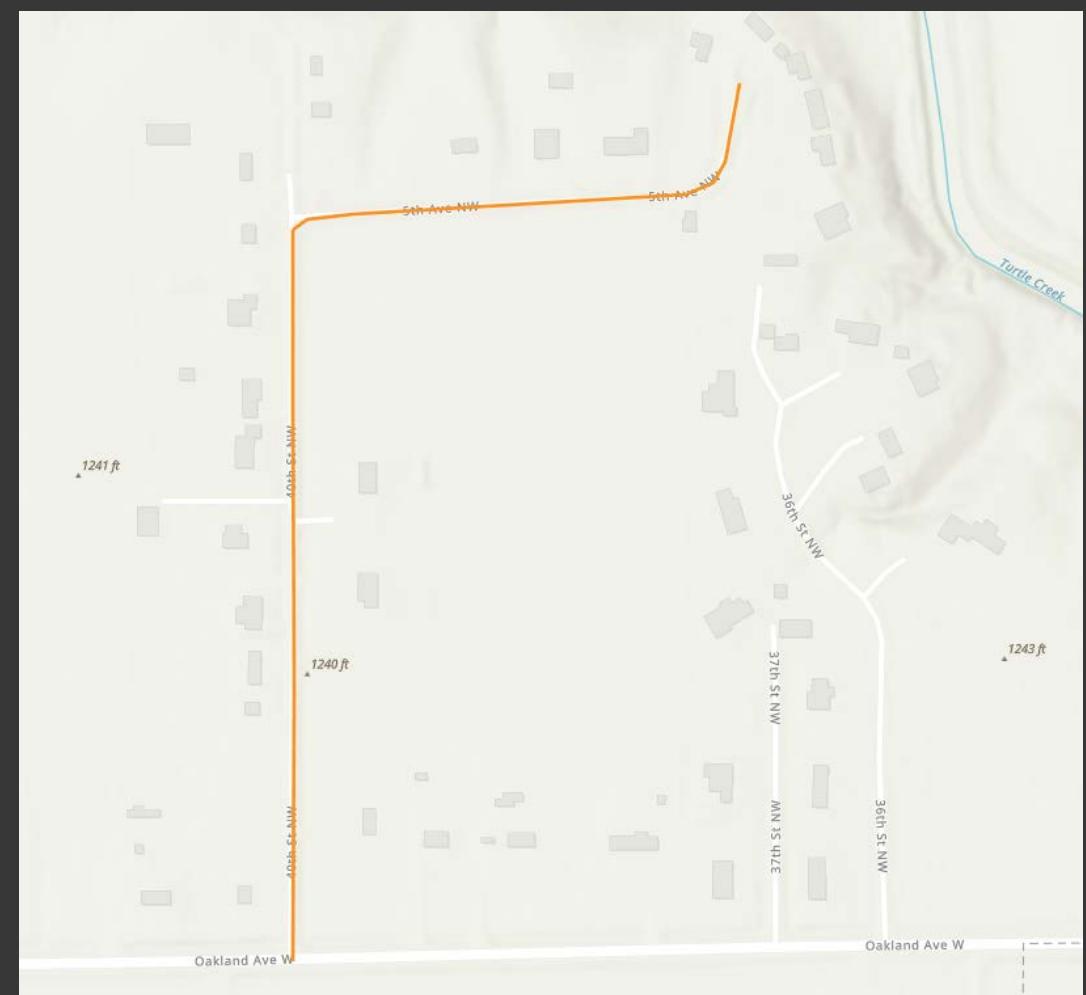
# Project Location

# 40<sup>th</sup> Street NW

From Oakland Ave W to 5<sup>th</sup> Ave NW

# 5<sup>th</sup> Avenue NW

## From 40<sup>th</sup> St NW to Dead End



# Project Background

- 2015 – 40<sup>th</sup> Street & 5<sup>th</sup> Avenue NW annexed into City of Austin
- 2016-2019 – Planning for sanitary sewer extension project. Paving was considered during this time, but was not included with sanitary sewer project
- Summer 2020-Spring 2021 – Sanitary sewer project constructed
- Summer 2021 – City received requests from some residents to pave gravel roads
- December 2021 – Survey sent to property owners asking for their opinion on whether or not to pave streets. 12-Yes, 16-No
- January 2022 – Based on the survey results, the City Council directed engineering department to continue planning for a paving project in 2022
- January 2022-Present – Engineering Dept developed plans, bid the project, and calculated assessment costs

# Existing Conditions



40<sup>TH</sup> STREET NW  
FACING NORTH



5<sup>TH</sup> AVENUE NW  
FACING EAST

# Project Scope

- Add thin layer of aggregate base
- Grade the existing gravel and aggregate base to create crown in the road
- Pave 4" of asphalt pavement 20'-22' wide
- Restore shoulders with black dirt and seed



# Project Schedule & Costs

- **Schedule**
  - Start Date – June 13, 2022
  - Completion Date – July 1, 2022
  - Construction is expected to be completed over a 3 week period, weather permitting
- **Impacts**
  - There will be access to driveways throughout the project
- **Bids**
  - Bids Opened on March 8<sup>th</sup>
  - Low Bidder – Ulland Brothers: \$159,035.00

# Assessments

- 100% of project costs would be assessed to adjacent property owners
- The project costs were divided by 28 units.
  - 21 properties assigned 1 unit
  - 1 property assigned 2 units (based on number of sewer services)
  - 1 property assigned 5 units (based on number of sewer services)
- $\$159,035.00/28 = \underline{\$5,679.82 \text{ per unit}}$
- Assessment amounts would not be adjusted by project cost overruns/underruns

# Assessment Payment Options

**Assessment bills will be sent out late August/early September**

1. Pay the amount in full by October 28, 2022, without interest.
2. Pay at least 50% of the amount by October 28, 2022, without interest. The remainder will be added to your taxes, spread out over 15 years, with 3.75% interest.
3. Do not pay anything by October 28, 2022. The entire balance will be added to your property taxes, spread out over 15 years, with 3.75% interest.
4. If an individual is over the age of 65, financially qualifies, and lives on the property, the assessment may be deferred with interest until the property is sold.

# Project Updates

- Project updates and information will be posted in the following locations
- City of Austin Website – Weekly Project Updates
  - [www.ci.austin.mn.us/public-works/city-construction-projects](http://www.ci.austin.mn.us/public-works/city-construction-projects)
- City of Austin, Minnesota Facebook Page
  - [www.facebook.com/cityofaustinmn](http://www.facebook.com/cityofaustinmn)
- Flyers handed out door to door



# Questions?



**RESOLUTION NO.**

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

**WHEREAS**, the City Council has approved the project for 5<sup>th</sup> Avenue NW (40<sup>th</sup> Street NW to Dead End) and 40<sup>th</sup> Street NW (Oakland Avenue West to 5<sup>th</sup> Avenue NW) Project 22-108.

**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 \$159,035.00.
2. Assessments shall be payable in equal annual principal installments extending over a period of fifteen (15) years, the first of the installments to be payable on or before the first Monday in January, 2023, and shall bear interest at the rate of 3.75% per annum from November 1, 2022.
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 2nd day of May, 2022.

YEAS

NAYS

ATTEST:

APPROVED:

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City Recorder

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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:

5<sup>th</sup> Avenue NW (40<sup>th</sup> Street NW to Dead End) and 40<sup>th</sup> Street NW (Oakland Avenue West to 5<sup>th</sup> Avenue NW), Project 22-108.

**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 fifteen (15) years, the first of the installments to be payable on the first Monday in January 2023 and shall bear interest at the rate of 3.75 percent per annum. The first installment shall be added interest on the entire assessment from November 1, 2022 until December 31, 2023. 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 31<sup>st</sup> 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 2nd day of May, 2022.

YEAS

NAYS

ATTEST:

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City Recorder

APPROVED:

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Mayor

61 Extra Days  
Fund – 49000  
Code 49000.4204

Resolution No.

Street improvements on 5<sup>th</sup> Avenue NW & 40<sup>th</sup> Street NW  
Project No. 22-108  
Interest at 3.75% starting November 1, 2022  
15 years

Page 1

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
Christine M Seppanen 34.518.0010	LOT 1 E OF EXT W LINE OF STREET		Oak Hill Subd	\$5,679.82
Duane R & Annette M Schuler 34.518.0020	LOT 1 E OF EXT W LINE OF STREET		Oak Hill Subd	\$5,679.82
Scott R & Sharon Kaplan 34.518.0030	Lot 2		Oak Hill Subd	\$5,679.82
Mary E Olson 34.518.0040	Lot 3		Oak Hill Subd	\$5,679.82
Dennis & Krista Hawley 34.518.0050	Lot 4		Oak Hill Subd	\$5,679.82
Kyler J & Amanda J Green 34.518.0060	Lot 5		Oak Hill Subd	\$5,679.82
Amanda Stoa 34.876.0010	W 317 FT N 223 FT S 1126 FT S E1/4 NE 1/4 & E 14 FT W 331 FT N 250 FT S 1126 FT SE 1/4 NE 1/4		S6 T102 R18	\$5,679.82
Mahlon & Karen Schneider 34.876.0011	W 855 FT E 1/2 NE 1/4 S OF 5TH AVE EXC S 495 FT & EXC N 658 FT S 1126 FT W 331 FT		S6 T102 R18	\$28,399.11
Toni Lynne Hatle-Rahim 34.876.0045	W 195 FT N 1039.5 FT NE 1/4 NE 1/4		S6 T102 R18	\$5,679.82
Nicholas A Yerhart 34.876.0050	S 495 FT W 378 FT SE 1/4 NE 1/4		S6 T102 R18	\$5,679.82
Darin D Nelson 34.876.0060	6.22 AC E 1/2 NE 1/4 BK 247-396		S6 T102 R18	\$5,679.82
Arlo & Beth Drees 34.876.0070	14.17 AC NE 1/4 NE 1/4 BK 260-112		S6 T102 R18	\$5,679.82

61 Extra Days  
Fund – 49000  
Code 49000.4204

Resolution No.

Street improvements on 5<sup>th</sup> Avenue NW & 40<sup>th</sup> Street NW  
Project No. 22-108  
Interest at 3.75% starting November 1, 2022  
15 years

Page 2

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
Emery & Enid Thompson 34.876.0090	W 331 FT N 408 FT S 903 FT E 1/2 NE 1/4		S6 T102 R18	\$11,359.64
Joe & Mary Davidson 34.876.0140	N 5 RODS S 35 RODS E 20 RODS W 1/2 NE 1/4		S6 T102 R18	\$5,679.82
Steve McQueen 34.876.0150	E 165 FT W 1320 FT S 495 FT SW 1/4 NE 1/4 EXC HWY		S6 T102 R18	\$5,679.82
Susan M Huebner Trust 34.876.0170	N 15 RODS S 50 RODS E 20 RODS W 1/2 NE 1/4, EXC N 8.5 RODS BK 475 PG 388		S6 T102 R18	\$5,679.82
Marshall R & Andrea L Clennon 34.876.0171	1.06 AC W 1/2 NE 1/4 BK 256-155		S6 T102 R18	\$5,679.82
Angela Anne Halling 34.876.0180	1.59 AC W 1/2 NE 1/4		S6 T102 R18	\$5,679.82
Arlyn E Krause 34.876.0190	1.25 AC W 1/2 NE 1/4		S6 T102 R18	\$5,679.82
John D Kenitz 34.876.0220	N1/2 SE1/4 SE1/4 NW1/4 NE1/4		S6 T102 R18	\$5,679.82
Mark P & Julie A Walski 34.876.0230	E 20 RODS S 10 RODS NW 1/4 NE 1/4		S6 T102 R18	\$5,679.82
Joel D Ferguson 34.876.0240	E 20 RODS N 10 RODS S 30 RODS NW 1/4 NE 1/4		S6 T102 R18	\$5,679.82
Troy W & Tammy C Ellison 34.876.0250	N 120 FT N 20 RODS S 70 RODS E 20 RODS SW 1/4 NE 1/4		S6 T102 R18	\$5,679.82

61 Extra Days  
Fund – 49000  
Code 49000.4204

**Resolution No.**

Page 3

Street improvements on 5<sup>th</sup> Avenue NW & 40<sup>th</sup> Street NW  
Project No. 22-108  
Interest at 3.75% starting November 1, 2022  
15 years

<u>Property Owner</u>	<u>Legal Description</u>	<u>Block</u>	<u>Addition</u>	<u>Total</u>
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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:** Mitch Wenum, PE  
**Date:** April 27, 2022  
**Subject:** Bids – 40<sup>th</sup> Street NW & 5<sup>th</sup> Avenue NW Paving  
 CP 22108

---

The City of Austin received bids for the paving of 40<sup>th</sup> Street NW & 5<sup>th</sup> Avenue NW on March 8, 2022. The project consists of paving the gravel roads located in the Turtle Creek 2 annexation area. The bids are summarized below.

Contractor	Total Bid Amount
Ulland Brothers, Inc.	\$159,035.00
Engineer's Estimate	\$160,250.00

100% of the project costs will be assessed to the property owners along the project. We would recommend awarding the project to Ulland Brothers, Inc, contingent upon the results of the Public Hearing for Assessments.

If you have any questions, please contact me.

## RESOLUTION NO.

## AWARDING BID FOR 40<sup>TH</sup> STREET NW & 5<sup>TH</sup> AVENUE NW PAVING

**WHEREAS**, pursuant to an advertisement for bids for the following local improvement:

## 40<sup>th</sup> Street NW & 5<sup>th</sup> Avenue NW Paving

Bids were received, opened and tabulated according to law and the following bids were received complying with the advertisement:

<u>Contractor</u>	<u>Bid</u>
Ulland Brothers, Inc.	\$159,035
Engineer's Estimate	\$160,250

**AND, WHEREAS**, it appears Ulland Brothers, Inc. is the lowest responsible bidder.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Austin, Minnesota that the base bid of Ulland Brothers, Inc. is hereby accepted and the Mayor and City Recorder are hereby authorized and directed to enter into the standard city contract with Ulland Brothers, Inc. in the name of the City of Austin for the following:

## 40<sup>th</sup> Street NW & 5<sup>th</sup> Avenue NW Paving

Passed by a vote of yeas and nays this 2nd day of May, 2022.

## YEAS

## NAYS

ATTEST:

APPROVED:

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## City Recorder

**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 Lang  
**Date:** April 27, 2022  
**Subject:** Bids – Cedar River Siphon (Reject Bid)  
 CP 21202

---

The City of Austin received bids for the Cedar River Siphon replacement project on April 26<sup>th</sup>, 2022. The project involves the replacement of the existing 100-year-old siphon. Work involves trenching across/under the Cedar River near Driesner Park to construct a 2-tube siphon with control structures on each side of the river. Additional gravity sewer main and manhole replacement are also included in the project. The bids are summarized below.

<b>Contractor</b>	<b>Total Bid Amount</b>
Elcor Construction	\$1,757,953.10
Engineer's Estimate	\$580,000.00

The lone bid came in over 3x the engineer's estimate. For that reason, we would recommend rejecting all bids. Staff will then review with WHKS options for rebidding the project when the bidding climate is more competitive and conducive to more reasonable prices. If you have any questions, please contact me.

**City of Austin**  
Craig Clark,  
City Administrator



**500 Fourth Avenue N.E.**  
**Austin, Minnesota 55912-3773**  
**Phone: 507-437-9941**  
**[craigc@ci.austin.mn.us](mailto:craigc@ci.austin.mn.us)**  
**[www.ci.austin.mn.us](http://www.ci.austin.mn.us)**

**To: Honorable Mayor and Council**  
**From: Craig D. Clark, Administrator**  
**RE: Bird Scooters**

---

The City was approached by Bird Rides, Incorporated to provide 75 initial scooters for commercial distribution for use throughout the City. Attached is an outline of Bird and what the program entails (Exhibit 1). Their check out system utilizes a Smartphone app to locate and unlock the scooters for use. The system is at no cost to the City of Austin and at the full risk of Bird for any loss or damage of the scooters. A local attendant is responsible to charge, recover and manage the units. They are located in 520 cities globally and have hundreds of thousands of units in use. Units would be parked on the sidewalk for customers to utilize the scooters. Users pay an initial charge to activate the unit and then pay by the minute of use. I'm told the average ride is \$6. Julianne Roller, with Bird, will be present via zoom to answer any of your questions.

Chief McKichan identified scooters are banned from "operating" on sidewalks and would use the roadway in the same fashion as bicycles are relative to Minnesota Statutes. The scooters are governed by a geolocate mechanism that will block their ability to navigate on sidewalks and trails within the city so this takes away some enforcement issues. Bird scooters are deployed in New Ulm and Albert Lea in closer proximity to Austin. Chief McKichan was in contact with the

Albert Lea Chief and for the two years they have had them note no issues of concern above any other types of issues they deal with regularly.

MN Statutes allows bikes or scooters to operate on bike trials and paths unless the local authority has banned them. Under **7.18**, of our ordinance, we do ban motorized vehicles on our sidewalks and bike paths. At this point we are not proposing any changes to our ordinance allowing them on our recreational trails. This would best be left for a future discussion as we evaluate their use within the community. Bird officials are accepting of this limitation.

In order to deploy the scooters in Austin Bird officials have asked the City to approve the attached MOU (Exhibit 2).

The agreement provides the following provisions:

- In effect for a 12-month period and automatically renews;
- Provides either party the right to notify each other for the requested termination of the agreement upon 30 days notice;
- Allows for 24-hour rental unless we prescribe otherwise between the hours of midnight to 4 a.m.;
- Bird indemnifies and holds harmless the City of Austin;
- Establishes the hibernation season from November 15<sup>th</sup> to April 1<sup>st</sup>.

Let me know if you have any questions.

**Council action is requested to approve the attached MOU authorizing Bird Rides, Inc. to operate their scooters in the City of Austin.**



# What is Bird?

Bird is a last-mile electric vehicle company dedicated to bringing affordable, environmentally-friendly transportation solutions to cities everywhere. Today, Bird serves over 300 communities worldwide, ranging from metropolises like Los Angeles, CA (pop. 4 million), to smaller cities like Fort Scott, KS (pop. 7,700).

Our mission is to get people out of cars and:



Solve the last-mile problem and connect more residents to transit options



Reduce congestion and over-reliance on cars



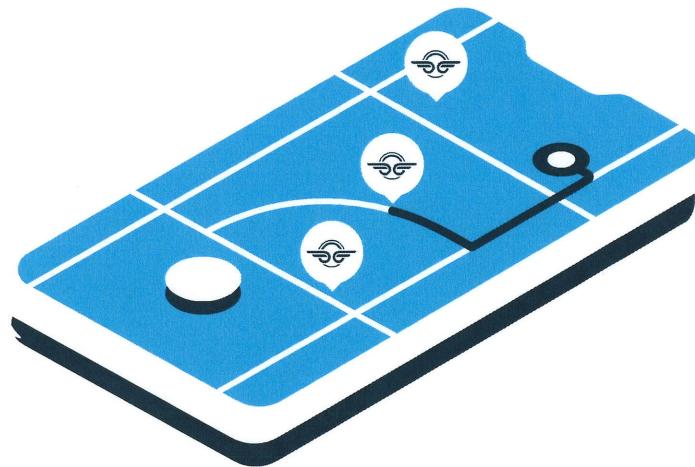
Improve air quality and reduce GHG emissions



Improve the overall quality of life in cities

## How it works.

Bird uses electric-powered scooters, two-wheeled stand-up vehicles designed to safely and sustainably get you around your city. Through the Bird smartphone app, riders can see the closest Bird on a map, unlock it, complete the safety tutorial, and ride directly to their destination. It costs \$1 to start, then a per minute fee.



1

Find Birds on the map

2

Scan QR to begin ride

3

Watch safety tutorial

4

Enjoy the ride!



## Bird's impact on the communities we serve

### Prioritizing safety, first.

Bird partners with cities across the globe to develop programs that maximize the positive impact of micro-mobility.

#### Connectivity

Bird supplements car use by providing a new, affordable transportation option. This drives tourism and brings the community together.



#### Bird leads the industry in safety.

Safety is deeply embedded across all components of our business- from our policy and operations; to our community education and engagement; to our industry leading vehicle design.

### One sustainable ride at a time.

Bird's custom vehicles are the most durable micro-mobility options on the road today.

**Each Bird One and Bird Two on the road today represents:**



**18 months +**

OF SUSTAINABLE RIDES



**1,500 pounds**

OF CO<sub>2</sub> AVOIDED

### Bolstering the local economy.

**58%**

of Bird rides ending at local businesses helping connect shops and restaurants with riders in their community.

**9x**

increase in the reach of transit stations expanding the mobility and job opportunities of more residents.

**Free**

\$0 investment from the city



## Leading the way on innovative solutions for cities

Bird is committed to working with cities to manage and maximize the positive impact of our partnerships. That's why we've developed industry-leading technology to measure, innovate, and improve both our fleet and our reporting. Here's just a small sample of our offering for cities:

### Custom in-app education

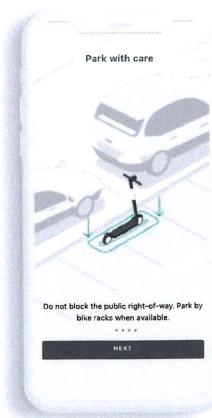
Bird riders are each shown a comprehensive education program that can be customized to address your city's chief concerns.

### Community-based reporting

Every member of your community can access community mode in the Bird app to submit complaints directly to our team for fast resolution.

### Localized policy zones

Bird's geo-fencing technology allows us to implement no-ride zones, no-parking zones, and reduced-speed zones with custom messaging to increase safe riding.



### Parking management

Bird offers a comprehensive suite of parking tools that bridges the gap between technology and infrastructure by both directing and incentivizing riders to park in city-designated areas and reduce the communities concerns of 'clutter'.

Want to learn more about if Bird would be a good partner to meet your city's goals?

### Account Manager

Bird's account managers partner with cities to provide a custom experience dedicated to servicing each specific community's needs.



### Industry-leading vehicles

Bird's best-in-class teams create innovative new vehicles from the ground-up. From self-reporting damage sensors and tip detection to an industrial-grade anti-tipping kickstand, Bird offers the most advanced shared e-scooter on the road today.

### Programs for equitable access

Our city dashboards provide customized information about how our partnership is helping to complement the city's mobility menu.

### Customized dashboards and robust APIs

Bird provides cities with easy-to-read dashboards and in-depth APIs to help cities understand how riders move about the city and how Bird is complementing their mobility menu.

Just reach out to [partnerships@bird.co](mailto:partnerships@bird.co) to be connected to your regional representative

## **Memorandum of Understanding**

City of Austin will permit Bird Rides, Inc. to provide services under the following terms and limitations. This agreement shall remain in effect until December 31, 2022 and shall renew for successive twelve (12) month periods unless either party provides written notice to the other of its intention not to renew at least thirty (30) days prior to the end of the then-current term, or unless terminated as set forth below.

### **AGREEMENT**

- 1) Scope: This Agreement and its terms apply to any proposed deployment of Stand-up electric scooter sharing systems within City of Austin's jurisdictional boundaries.
- 2) Stand-up electric scooters shall be governed by the rules applying to bicycles and are to be ridden on streets, and where available, in bike lanes and bike paths. Stand-up electric scooters are to stay to the right of street lanes and to offer the right of way to bicycles in bike lanes and on bike paths. Users of Stand-up electric scooters shall be 18 or older. Users of Stand-up electric scooters who violate these provisions may be fined by City of Austin consistent with fines for cyclists.
- 3) Bird Rides, Inc. shall provide easily visible contact information, including toll-free phone number and/or e-mail address on each Stand-up electric scooter for members of the public to make relocation requests or to report other issues with devices.
- 4) Hours of operation: Stand-up electric scooters will be made available to rent 24 hours per day. City of Austin may choose to limit operational hours from 4 a.m. to midnight (local time). Stand-up electric scooters will be available from April 1 until November 15 with extensions at the discretion of City of Austin.
- 5) Safety Education: Bird Rides will provide materials, videos, signage to promote safe riding and educate riders on rider responsibilities and encourage safe and courteous riding and parking.
- 6) Data sharing: Bird Rides, Inc. will provide data to the City of Austin as necessary to assist with monitoring program usage.
- 7) Indemnification: Bird Rides, Inc. agrees to indemnify, defend and hold harmless City of Austin (and City of Austin's employees, agents and affiliates) from and against all actions, damages or claims brought against City of Austin arising out of Bird Rides, Inc.'s negligence or willful misconduct, except that Bird Rides, Inc.'s indemnification obligation shall not extend to claims of City of Austin's (or City of Austin's employees', agents' or affiliates') negligence or willful misconduct. City of Austin expressly

acknowledges that in no event shall Bird Rides, Inc. be liable for any special, indirect, consequential or punitive damages. Bird Rides, Inc.'s indemnification obligations shall survive for a period of six (6) years after expiration of this Agreement. -Bird Rides, Inc. shall be released from its indemnification obligations under this section if the loss or damage was caused solely by the City of Austin's negligent construction or maintenance of public infrastructure. City of Austin's right to indemnification shall be contingent on City of Austin notifying Bird Rides, Inc. promptly following receipt or notice of any claim; Bird Ride, Inc. shall have sole control of any defense; City of Austin shall not consent to the entry of a judgment or enter into any settlement without the prior written consent of Bird Ride, Inc. City of Austin does no waive any limitations on liability or other protections set forth in Minnesota Statutes, Chapter 466.

8) Insurance: Bird Rides, Inc. shall provide City of Austin with proof of insurance coverage exclusively for the operation of Stand-up electric scooters including: (a) Commercial General Liability insurance coverage with a limit of no less than \$1,500,000.00 each occurrence and \$3,000,000.00 aggregate; (b) Automobile Insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$1,000,000.00 aggregate; and (c) where Bird Rides, Inc. employs persons within the City of Austin, Workers' Compensation coverage of no less than the statutory requirement. The commercial general liability policy shall cover liability arising from premises, operations, products-completed operations, personal injury, advertising injury, and contractually assumed liability. The automobile liability policy shall include coverage for owned, hired, and non-owned automobiles. The City, including its elected and appointed officials, employees, and agents, shall be endorsed as additional insured on all liability policies. Bird Rides, Inc.'s policies shall be primary insurance and non-contributory to any other valid and collectible insurance available to the City of Austin with respect to any claim arising under this Agreement. Bird Rides, Inc. shall deliver annually a Certificate of Insurance as evidence that the above coverages are in full force and effect. Bird Rides, Inc. shall notify the City of Austin within thirty (30) days' advanced written notice of cancellation or non-renewal of policy.

9) Notices: All notices and communications to the City of Austin from Bird Rides, Inc. shall be made in writing (includes electronic communications) and sent to the address below.

10) Either party may terminate this agreement at any time and without cause upon (30) days prior written notice.

11) In carrying out their responsibilities, the parties shall remain independent contractors, and nothing herein shall be interpreted or intended to create a partnership, joint venture, employment, agency, franchise or other form of agreement or relationship.

12) The parties acknowledge that Bird Rides, Inc. may utilize independent business logistics providers to facilitate local operations. Bird's use of these logistics providers

does not constitute a transfer or assignment of this Agreement, and Bird Rides, Inc. remains responsible for all obligations and requirements under this Agreement.

13) This agreement shall be governed by and construed in accordance with the laws of the state of Minnesota.

**City of Austin, Minnesota**

**Bird Rides, Inc.**

Signed By:

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

\_\_\_\_\_  
Title: \_\_\_\_\_

Email: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Email: [birdlegal@bird.co](mailto:birdlegal@bird.co)

## 1<sup>st</sup> & 3<sup>rd</sup> Apartments - Austin



### Project Summary

Three Rivers Community Action is proposing to redevelop property in central Austin to create an attractive multi-story building with underground parking and green space. Three Rivers is working with project partners to create a preliminary building design that fits well with adjacent uses and meets the needs identified by the community. Three Rivers plans to submit an application for an allocation of 9% Housing Tax Credits (LIHTCs) in the July 2022 MHFA Multifamily RFP.

### Project Details

- The 40-unit apartment building will house a mix of one, two, three, and four-bedroom units, a property management office, a supportive services office and a community room.
- The three-story building with underground parking will include an elevator and incorporate universal design elements. The building will be certified through the ENERGY STAR Multifamily New Construction Program.
- The apartments will provide workforce housing to low and moderate-income individuals and families (at or below 60% area median income). Approximately 50% of the units will have rents affordable to households with incomes at or below 50% AMI.
- Monthly rents are anticipated to range from \$775 for one-bedroom units to \$1,250 for four-bedroom units.
- 4 units will be set aside for households that have experienced homelessness and 5 units will be set aside for persons with disabilities. On-site support services will be provided.
- Lloyd Management will provide property management services to the property.
- If funding is secured in the 2022 Minnesota Housing RFP, construction would start in the fall of 2023 and units would be leased in the fall of 2024.

## Scoring Potential

The proposed multifamily development in Austin is likely to score very highly as a 9% housing tax credit proposal. Several factors make the project attractive to Minnesota Housing:

- Project Location – In four key location-based scoring categories (Need for Affordable Options, Workforce Housing Communities, Transit and Walkability, and Rural/Tribal), the proposed development scores a combined 27 out of 29 points. The project scores 3 additional points for its location in a Qualified Census Tract.
- Large Family Housing – the inclusion of five 4-bedroom units will meet a demonstrated need for larger family rental units in Austin as well as allowing the proposal to score 15 out of 15 points in this category.
- Community Development and Equitable Development- Three Rivers is working with Impact Austin and resident advocacy groups to claim points under these categories.
- Rental Assistance, Supportive Housing and Serves Lowest Income – inclusion of 9 supportive housing units with Housing Support rental assistance allows the project to score competitively in these categories. Maintaining 50% of unit rents at levels affordable to households with incomes at 50% of area median income yields additional points.
- Universal Design and Sustainability- all 40 units will qualify as Universal Design units and additional design elements will allow the project to score well under Green Communities criteria.
- Financial Readiness/Leverage and Other Contributions – City, County, HRA and Foundation contributions are necessary to score highly in these categories. If we reach 10.5% of total development cost in combined contributions, the project could claim 16 out of 16 points under Financial Readiness/Leverage. In addition, the donation of land and fees allows the project to score well under Other Contributions.

Three Rivers is asking the City, County, HRA and the Hormel Foundation to contribute TIF and other financial resources to make this new apartment development feasible. These contributions are essential to developing a housing tax credit proposal that will meet the Austin community's needs and score well in the state's highly competitive Multifamily RFP.



MOWER  
COUNTY

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1 mi

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**Mower County Public GIS**

Date/Time: 3/30/2022 10:10 AM

CLIENT:  
**THREE RIVERS  
COMMUNITY ACTION**

THIS SQUARE APPEARS 1/2" X 1/2"  
ON FULL SIZE SHEETS

NO. DATE ISSUED FOR

NO. DATE REVISION

PRELIMINARY  
NOT FOR CONSTRUCTION  
04/27/22

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PROJECT NAME:  
**1st AVENUE SE  
APARTMENTS**

DRAWING TITLE:  
**SITE PLAN**

FILE: XXX  
DRAWN BY: Author  
CHECKED BY: Chdar  
PROJ. NO.: 21042  
DRAWING NO.: A100





PERFORMANCE  
DRIVEN DESIGN.  
LHBcorp.com

21 W. Superior St. Ste 500 | Duluth, MN 55802 | 218.727.8446

CLIENT:  
THREE RIVERS  
COMMUNITY ACTION

THIS SQUARE APPEARS 1/2" x 1/2"  
ON FULL SEE SHEETS

NO DATE ISSUED FOR

NO DATE REVISION

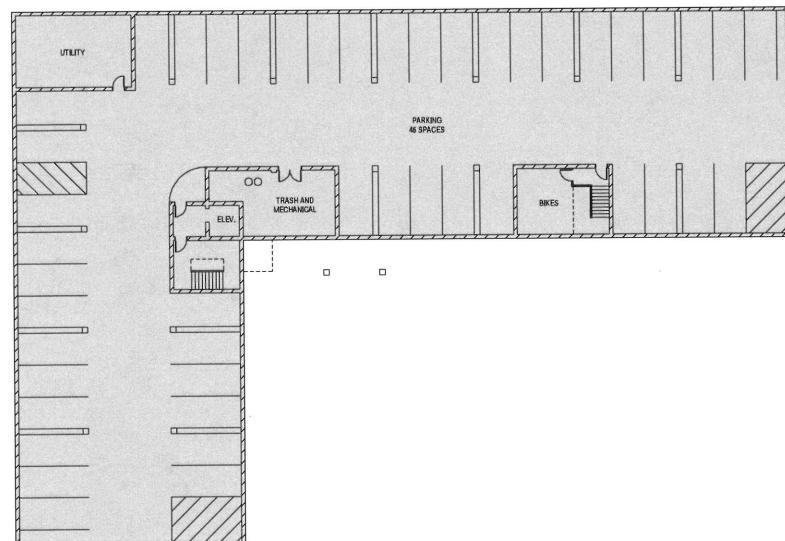
COPYRIGHT 2019 BY LHB, INC. ALL RIGHTS RESERVED.

PROJECT NAME:  
1st AVENUE SE  
APARTMENTS

DRAWING TITLE:  
BASEMENT FLOOR PLAN

FILE: XXX  
DRAWN BY: Author  
CHECKED BY: Check  
PROJ. NO.: 21842  
DRAWING NO.:

**A101**



1 BASEMENT FLOOR PLAN  
1/16" = 1'-0"

CLIENT:  
**THREE RIVERS  
COMMUNITY ACTION**

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NO DATE REVISION

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04/27/22**

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PROJECT NAME:  
**1st AVENUE SE  
APARTMENTS**

DRAWING TITLE:  
**FIRST FLOOR PLAN**

DRAWN BY: Author  
CHECKED BY: G. G. H.  
PROJ. NO.: 11142  
DRAWING NO.

**A102**



21 W. Superior St., Ste 500 | Duluth, MN 55802 | 218.727.8445

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COMMUNITY ACTION**

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NO	DATE	ISSUED FOR
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NO. DATE REVISION

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04/27/22

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PROJECT NAME:  
**1st AVENUE SE  
APARTMENTS**

**DRAWING TITLE:**  
**SECOND FLOOR PLAN -**  
**THIRD FLOOR SIMILAR**

FILE: XXX  
DRAWN BY: Author  
CHECKED BY: Checker  
PROJ. NO: 218842  
DRAWING NO:

**A103**



**1** SECOND FLOOR PLAN - THIRD FLOOR SIMILAR  
1/16" = 1'-0"

CLIENT:  
**THREE RIVERS  
COMMUNITY ACTION**

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NO. DATE REVISION

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04/27/22**

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PROJECT NAME:  
**1st AVENUE SE  
APARTMENTS**

DRAWING TITLE:  
**EXTERIOR ELEVATIONS**

FILE: 100X  
DRAWN BY: Author  
CHECKED BY: Checker  
PROJ. NO.: 21H42  
DRAWING NO.:  
A201





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VIEW FROM SOUTH



VIEW FROM EAST



VIEW FROM NORTH



VIEW FROM WEST

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04/27/22**

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PROJECT NAME:  
1st AVENUE SE  
APARTMENTS

DRAWING TITLE:  
EXTERIOR VIEWS

FILE NO.: A202  
DRAWN BY: Author  
CHECKED BY: Chmber  
PROJ. NO.: 21B42  
DRAWING NO.:  
4/27/2022 4:47:59 PM

**A202**

	3/22/2022 Three Rivers	Financial Leverage	3/22/2022 City	Financial Leverage
<b>SOURCES:</b>				
Tax Credit Equity	\$ 12,621,238		\$ 12,621,238	
First Mortgage - Income Supported	\$ 609,000		\$ 609,000	
First Mortgage - TIF Supported plus interest Bank 4.5%	\$ -		\$ -	
First Mortgage - TIF Supported plus interest City 1.0%	\$ 615,000		\$ 615,000	(1)
Hormel Foundation - 0%, 50 year loan	\$ 600,000		\$ 600,000	
City affordable housing 0% deferred loan	\$ -		\$ 300,000	(1)
Energy/Sales Tax Rebates	\$ 445,890		\$ 445,890	
Mower County ARPA funding	\$ 250,000		\$ 250,000	
City contribution (TIF #11 excess max)	\$ 283,000		\$ 283,000	
Austin HRA North Pointe contribution	\$ -		\$ 80,481	
Land Donation - City/HRA	\$ -	13.66%	\$ -	17.63%
Additional Gap financing/savings	\$ 637,481		\$ -	
<b>Total Sources</b>	<b>\$ 16,061,609</b>		<b>\$ 16,061,609</b>	
<b>USES:</b>				
Construction	\$ 13,453,642		\$ 13,453,642	
Contingency	\$ 538,146		\$ 538,146	
Professional Fees	\$ 645,260		\$ 645,260	
Developer Fee	\$ 750,000		\$ 750,000	
Financing Costs	\$ 474,561		\$ 474,561	
Reserves	\$ 200,000		\$ 200,000	
Demolition/Abatement	\$ -		\$ -	
Land	\$ -		\$ -	
<b>Total Uses</b>	<b>\$ 16,061,609</b>		<b>\$ 16,061,609</b>	

(1) = Loan funds would come from Fund 48000 Building Fund.

1st and 3rd Apartments

Tax Credit	12,621,238	Three Rivers arranges privately
First Mortgage- Income Supported	609,000	Three Rivers arranges privately
First Mortgage - TIF Supported	615,000	City loans from Fund 48000 with repayments semiannually out of tax increment receipts
Hormel Foundation	600,000	Contribution already approved
City loan	300,000	City loans from Fund 48000 with repayments semiannually out of tax increment receipts IF tax increment receipts increase.
Energy Sales rebates	445,890	Three Rivers arranges privately
Mower County ARPA funding	250,000	Taggart/Trish Harren verbal commitment. Details to be worked out.
City contribution	540,000	From TIF 11 excess funds contingent upon Dorsey/Whitney approval. Fund 31000
Austin HRA contribution	80,481	From TIF #14 Fox Point City repayment. Might need to up-front from City.
<b>Total</b>	<b>16,061,609</b>	

	Summary	% Funding
Three Rivers funding	13,230,238	
Hormel Foundation loan	600,000	
Energy Rebates	445,890	
Mower County funding	250,000	
Total Outside City funding	14,526,128	90%
City funding:		
TIF Loan (paid back)	615,000	4%
TIF Loan	300,000	2%
TIF #11 Excess	540,000	3%
HRA Funding:		
TIF #14 repayment	80,481	1%
	<b>16,061,609</b>	

Additional Contributions:

HRA permit costs	100,000	From reserved fund balance
HRA Land	460,000	From TAR
City Legal costs	10,000	Fund 48000 Affordable Housing



329 North Main Street, Suite 102L • Austin, Minnesota 55912-3478  
P 507-437-9800 • F 507-396-2705

March 1, 2022

Taggart Medgaarden  
Austin Housing & Redevelopment Authority  
308 2<sup>nd</sup> Ave NE  
Austin, MN 55912

Dear Mr. Medgaarden,

The purpose of this letter is to confirm that The Hormel Foundation has approved \$600,000 to the City of Austin/Austin Housing and Redevelopment Authority for the direct purpose of supporting an affordable housing project located within the City of Austin.

We understand that the city is working with Three Rivers Community Action to bring this project to fruition. The full \$600,000 allocation will be available upon successful demonstration of a complete financing package and upon commitment to at least \$600,000 of expenditures.

The board of directors approved this action at its Board meeting on November 17, 2021.

We look forward to the positive impact this project will bring to our community and appreciate the collaborative work that has been done to bring all of the partners together.

If you need any further information from the Foundation, please contact me at 507-437-9800 or [ssdankert@thehormelfoundation.com](mailto:ssdankert@thehormelfoundation.com).

Sincerely,

Sheri S. Dankert, CPA  
Assistant Secretary-Treasurer

Cc: Tom Dankert, City of Austin

Category	July 1 2021-June 30, 2022	July 1 2022-June 30, 2023	July 1 2023-June 30, 2024	July 1 2024-Dec 31, 2024	Jan 1, 2025-Dec 30, 2026	TOTAL
<b>1 Expenditure Category: Public Health</b>						<b>\$1,150,000</b>
1.1 COVID-19 Vaccination						-
1.2 COVID-19 Testing						-
1.3 COVID-19 Contact Tracing						5,000
1.4 Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Schools, etc.)	5,000					20,000
1.5 Personal Protective Equipment	20,000					-
1.6 Medical Expenses (including Alternative Care Facilities)						-
1.7 Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency Jail pod segregation project for mental health		250,000				250,000
1.8 Other COVID-19 Public Health Expenses (including Communications, Enforcement, Isolation/Quarantine)						-
1.9 Payroll Costs for Public Health, Safety, and Other Public Sector Staff Responding to COVID 19	300,000	50,000				350,000
1.10 Mental Health Services for Jail (Not 100% of cost. Cost is \$22,000 per month for year 2 & 3)	195,000	180,000	100,000			475,000
1.11 Substance Use Services	25,000	25,000				50,000
1.12 Other Public Health Services						<b>\$850,000</b>
<b>2 Expenditure Category: Negative Economic Impacts</b>						-
2.1 Household Assistance: Food Programs						-
2.2 Household Assistance: Rent, Mortgage, and Utility Aid						-
2.3 Household Assistance: Cash Transfers						-
2.4 Household Assistance: Internet Access Programs (Partnership with Austin Aspires Digital Equity Coordinator)	16,000	16,000	16,000	2,000		50,000
2.5 Household Assistance: Eviction Prevention						-
2.6 Unemployment Benefits or Cash Assistance to Unemployed Workers						-
2.7 Job Training Assistance (e.g. Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)	25,000	35,000	25,000	15,000		100,000
2.8 Contributions to UI Trust Funds*	-	-				150,000
2.9 Small Business Economic Assistance (General) – micro grants/bus resiliency grants	150,000					100,000
2.10 Aid to nonprofit organizations	100,000					250,000
2.11 Aid to Tourism, Travel, or Hospitality	250,000					100,000
2.12 Aid to Other Impacted Industries	100,000					-
2.13 Other Economic Support – Grow Mower County Program \$100,000	20,000	20,000	20,000	40,000		100,000
2.14 Rehiring Public Sector Staff						-

Category	July 1 2021- June 30, 2022	July 1 2022- June 30, 2023	July 1 2023- June 30, 2024	July 1 2024- Dec 31, 2024	Jan 1, 2025 - Dec 30, 2026	TOTAL
<b>3 Expenditure Category: Services to Disproportionately Impacted Communities</b>						<b>\$2,950,000</b>
3.1 Education Assistance: Early Learning						-
3.2 Education Assistance: Aid to High-Poverty Districts						-
3.3 Education Assistance: Academic Services						-
3.4 Education Assistance: Social, Emotional, and Mental Health Services Summer mental health services	25,000	150,000	100,000			275,000
3.5 Education Assistance: Other						50,000
3.6 Healthy Childhood Environments: Child Care	15,000	25,000	10,000			300,000
3.7 Healthy Childhood Environments: Home Visiting	100,000	100,000	100,000			-
3.8 Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System	50,000	200,000	250,000			500,000
3.9 Healthy Childhood Environments: Other Consultant to design plan	20,000	20,000				40,000
3.10 Housing Support: Affordable Housing			250,000			10,000
3.11 Housing Support: Services for Unhoused persons	10,000					-
3.12 Housing Support: Other Housing Assistance						175,000
3.13 Social Determinants of Health: Other	75,000	100,000				500,000
3.14 Social Determinants of Health: Community Health Workers or Benefits Navigators	50,000	50,000	350,000	50,000		850,000
3.15 Social Determinants of Health: Adult Mental Health ( includes consultant contract)	100,000	250,000	250,000	250,000		-
3.16 Social Determinants of Health: Community Violence Interventions						-
<b>4 Expenditure Category: Premium Pay</b>						-
4.1 Public Sector Employees						-
4.2 Private Sector: Grants to other employers						-

Category		July 1 2021- June 30, 2022	July 1 2022- June 30, 2023	July 1 2023- June 30, 2024	July 1 2024- Dec 31, 2024	Jan 1, 2025 - Dec 30, 2026	TOTAL
<b>5</b>	<b>Expenditure Category: Infrastructure</b>						<b>\$1,150,000</b>
5.1	Clean Water: Centralized wastewater treatment						-
5.2	Clean Water: Centralized wastewater collection and conveyance						-
5.3	Clean Water: Decentralized wastewater						-
5.4	Clean Water: Combined sewer overflows						-
5.5	Clean Water: Other sewer infrastructure						-
5.6	Clean Water: Stormwater						-
5.7	Clean Water: Energy conservation						-
5.8	Clean Water: Water conservation						-
5.9	Clean Water: Nonpoint source Ag Retail Incentive Program Cover Crop Cost Share Assistance Compliance Check Grant Program	175,000					175,000
5.10	Drinking water: Treatment						-
5.11	Drinking water: Transmission & distribution						-
5.12	Drinking water: Transmission & distribution: lead remediation						-
5.13	Drinking water: Source Well sealing SWCD Partnership	50,000					50,000
5.14	Drinking water: Storage						-
5.15	Drinking water: Other water infrastructure Water holding projects SWCD partnership	175,000					175,000
5.16	Broadband: "Last Mile" projects		250,000	250,000	250,000		750,000
5.17	Broadband: Other projects						<b>\$1,450,000</b>
<b>6</b>	<b>Expenditure Category: Revenue Replacement</b>						-
6.1	Provision of Government Services –						250,000
6.2	Body Cameras	250,000					125,000
6.3	GIS Tech	40,000	40,000	45,000			-
6.4	2 Assistant County Attorney's (Yr 1: 1 attorney 10 mo., 1 attorney 8 mo. @ \$10,500/mo)	190,000	250,000	270,000			710,000
6.5	.25 DEI Coordinator	15,000	25,000	25,000			65,000
6.6	Technology Upgrades (unspecified at this time) (Surface Computers - Assessor's \$5,016.16)	100,000	100,000	100,000			300,000
<b>7</b>	<b>Administrative and Other</b>						<b>\$250,000</b>
7.1	Administrative Expenses DCA Grant Administration	25,000	25,000	25,000			75,000
7.2	Evaluation and data analysis						-
7.3	Transfers to Other Units of Government Transfer to SWCD for Cedar River Recreation Project (Dam Project)				175,000		175,000
	<b>Totals</b>						<b>\$7,800,000</b>



308 Second Ave. NE, Austin, MN 55912  
Phone 507-433-1866 Fax 507-433-8317  
Website [www.austinhra.org](http://www.austinhra.org)

March 22, 2022

RE: 1<sup>st</sup> & 3<sup>rd</sup> Apartments

At its meeting on March 22, 2022 the Housing and Redevelopment Authority of Austin Board of Directors reviewed and endorsed the 1<sup>st</sup> & 3<sup>rd</sup> Apartment housing development proposal that proposes approximately 39 new construction apartment units in the City of Austin. This endorsement is based upon the findings that the project will meet locally identified housing needs and that the proposed housing is in short supply in the local housing market. This need is evidenced by 2017 Housing Comprehensive Housing Study.

As part of its endorsement, the HRA also supports a TIF district that will be brought to the Austin City Council for creation and approval.

### Taggart Towers

PIN	Owner Name\Address	Deeded Acres	Physical Address	Taxable MV (tax year 2021)	
34.100.0500	Austin HRA	0.13	201 2nd Street SE	\$ 25,100	Residential Homestead
34.100.0480	Austin HRA	0.24	203 2nd Street SE	\$ 42,500	Residential Homestead
34.100.0470	Austin HRA	0.16	207 2nd Street SE	\$ 42,600	Residential Homestead
34.100.0475	Austin HRA	0.67		\$ 37,200	Residential Homestead
			Base Taxable Value	\$ 147,400	

	NTC		Classification rate	City/County/School Tax Rate (Payable 2021)
Austin HRA	\$ 1,474 Residential Homestead	\$ 147,400	1.00%	132.267% \$ 1,950
	\$ 1,474	\$ 147,400		\$ 1,950
Apartment complex (39 units)	22,230 Commercial/Industrial	2,964,000	0.75%	132.267% \$ 29,403
	22,230	2,964,000		29,403
			Captured	\$ 27,453

Note: Tax Rate does NOT include State General Tax levy as that is not TIF eligible.

Note: Estimated per apartment value = \$76,000 based on prior discussions with Mower County Assessor.

City of Austin  
Taggart Towers  
February 3, 2022

Annual Period Ending	Total Estimated Market Value	Total Net Tax Capacity	Less: Original Net Tax Capacity	Retained Captured Net Tax Capacity	Times: Tax Capacity Rate	Annual Gross Tax Increment	Less: State Auditor Deduction 0.360%	Annual Net Tax Increment	Less: Admin. Retainage 10.00%	Annual Net Revenue
12/31/2022	147,400	-	-	-	132.267%	-	-	-	-	-
12/31/2023	145,500	1,474	1,474	-	132.267%	-	-	-	-	-
12/31/2024	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2025	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2026	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2027	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2028	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2029	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2030	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2031	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2032	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2033	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2034	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2035	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2036	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2037	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2038	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2039	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2040	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2041	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2042	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2043	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2044	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2045	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2046	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2047	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2048	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
Q3/31/2049	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
						713,787	2,570	711,217	71,122	640,095

TIF - Static Value

City of Austin  
Taggart Towers  
February 3, 2022

Annual Period Ending	Total Estimated Market Value	Total Net Tax Capacity	Less: Original Net Tax Capacity	Retained Captured Net Tax Capacity	Times: Tax Capacity Rate	Annual Gross Tax Increment	Less: State Auditor Deduction 0.360%	Annual Net Tax Increment	Less: Admin. Retainage 10.00%	Annual Net Revenue
12/31/2022	147,400	-	-	-	132.267%	-	-	-	-	-
12/31/2023	145,500	1,474	1,474	-	132.267%	-	-	-	-	-
12/31/2024	2,964,000	22,230	1,474	20,756	132.267%	27,453	99	27,355	2,735	24,619
12/31/2025	3,052,920	22,897	1,474	21,423	132.267%	28,335	102	28,233	2,823	25,410
12/31/2026	3,144,508	23,584	1,474	22,110	132.267%	29,244	105	29,139	2,914	26,225
12/31/2027	3,238,843	24,291	1,474	22,817	132.267%	30,180	109	30,071	3,007	27,064
12/31/2028	3,336,008	25,020	1,474	23,546	132.267%	31,144	112	31,032	3,103	27,928
12/31/2029	3,436,088	25,771	1,474	24,297	132.267%	32,136	116	32,021	3,202	28,819
12/31/2030	3,539,171	26,544	1,474	25,070	132.267%	33,159	119	33,040	3,304	29,736
12/31/2031	3,645,346	27,340	1,474	25,866	132.267%	34,212	123	34,089	3,409	30,680
12/31/2032	3,754,707	28,160	1,474	26,686	132.267%	35,297	127	35,170	3,517	31,653
12/31/2033	3,867,348	29,005	1,474	27,531	132.267%	36,415	131	36,283	3,628	32,655
12/31/2034	3,983,368	29,875	1,474	28,401	132.267%	37,565	135	37,430	3,743	33,687
12/31/2035	4,102,869	30,772	1,474	29,298	132.267%	38,751	140	38,611	3,861	34,750
12/31/2036	4,225,955	31,695	1,474	30,221	132.267%	39,972	144	39,828	3,983	35,845
12/31/2037	4,352,734	32,646	1,474	31,172	132.267%	41,230	148	41,081	4,108	36,973
12/31/2038	4,483,316	33,625	1,474	32,151	132.267%	42,525	153	42,372	4,237	38,135
12/31/2039	4,617,815	34,634	1,474	33,160	132.267%	43,859	158	43,701	4,370	39,331
12/31/2040	4,756,350	35,673	1,474	34,199	132.267%	45,233	163	45,071	4,507	40,564
12/31/2041	4,899,040	36,743	1,474	35,269	132.267%	46,649	168	46,481	4,648	41,833
12/31/2042	5,046,012	37,845	1,474	36,371	132.267%	48,107	173	47,934	4,793	43,140
12/31/2043	5,197,392	38,980	1,474	37,506	132.267%	49,609	179	49,430	4,943	44,487
12/31/2044	5,353,314	40,150	1,474	38,676	132.267%	51,155	184	50,971	5,097	45,874
12/31/2045	5,513,913	41,354	1,474	39,880	132.267%	52,749	190	52,559	5,256	47,303
12/31/2046	5,679,331	42,595	1,474	41,121	132.267%	54,389	196	54,194	5,419	48,774
12/31/2047	5,849,710	43,873	1,474	42,399	132.267%	56,080	202	55,878	5,588	50,290
12/31/2048	6,025,202	45,189	1,474	43,715	132.267%	57,821	208	57,612	5,761	51,851
12/31/2049	6,205,958	46,545	1,474	45,071	132.267%	59,614	215	59,399	5,940	53,459
►						1,082,883	3,898	1,078,985	107,898	971,086

TIF - Value Increases 3%

## Timeline for Austin Housing Tax Credit Proposal

October-November 2021 – Site control/option agreements – should be valid through June 2023

November 2021 – Preliminary architectural drawings and construction cost estimates

January 2022 – Obtain funding commitments from the City/HRA/Hormel Foundation

February 2022 – Broker opinion of value – letter and documentation from contributor showing market value of the property to be donated

March 2022 – Engage Market Study analyst

March 2022 – Finalize architectural drawings and construction cost estimates

April-May 2022 – Investor and Lender modeling – signed letters of interest for proposal submission

April-May 2022 – Community Development Plan and Equitable Development – work with Impact Austin, homeless response team, immigrant population to document that threshold requirements under these categories are met

→ May 2022 – Finalize City Council Letter and Resolutions – need threshold letter and financing resolutions

May 2022 – Finalize HRA resolution authorizing land donation to Three Rivers

May 2022 – Finalize Foundation letter – signed letter from Foundation stating terms of long-term, deferred 0% loan

May-June 2022 – Finalize Rental Assistance/Supportive Housing submittals – work with Service Provider and County to draft and sign agreement

June 2022 – Minnesota Housing technical assistance – obtain feedback on proforma and scoring, answer questions, highlight benefits of proposed development to the community

July 2022 – Minnesota Housing RFP deadline

September 2022 – Minnesota Housing announces early list of non-selected projects

December 2022 – Minnesota Housing announces final project awards

April-May 2023 – Close on construction financing and property acquisition

June-July 2023 – Begin construction

October 2024 – Begin lease-up of rental units

**RESOLUTION NO.**

**A RESOLUTION OF SUPPORT FOR 1st AND 3rd APARTMENTS TAX CREDIT  
APPLICATION RECOGNIZING THAT THE PROJECT WILL MEET IDENTIFIED HOUSING  
NEEDS**

WHEREAS, the City of Austin is a municipal corporation and political subdivision duly organized and existing under the Constitution and laws of the State of Minnesota; and

WHEREAS, Pursuant to Minnesota Statutes 469.174-469.1799, the City of Austin is authorized to use Tax Increment Financing (TIF) to carry out the public purposes described and contemplated thereby; and

WHEREAS, a need has been identified for additional affordable housing in the City, based on the 2017 Housing Study commissioned by the City of Austin; and

WHEREAS, Three Rivers Community Action, Inc. is a non-profit organization dedicated to creating affordable housing; and

WHEREAS, Three Rivers Community Action, Inc. is currently proposing to develop an affordable housing project consisting of forty (40) apartment units (Development) on the block located to the east of the Post office at 1<sup>st</sup> Avenue and 3<sup>rd</sup> Street SE in Austin, MN for low-and-moderate income households with incomes at or below 60% of area median income; and

WHEREAS, it is anticipated that successful development of the project will require participation of the community through project tax increment financing; and

WHEREAS, Three Rivers Community Action, Inc. will be submitting a Low-Income Housing Tax Credit application to the Minnesota Housing Finance Agency in July of 2022 for the Development; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Austin finds that the Development will meet an identified need to provide additional affordable housing and furthermore, subject to approval of the Minnesota Housing tax credit funding, the City awards twenty-six (26) years of tax increment financing to the Development using \$615,000 of pay-as-you-go TIF funds to reimburse certain costs incurred in connection with the construction of the Development. The City agrees to provide a loan of \$615,000 to the Development at an annual interest rate of 1% for a term of 26 years to be repaid by the tax increments generated by the Development, and to subordinate this loan to the first mortgage loan. Additionally, the Council of the City of Austin has agreed to provide additional funding for the Development in the amount of \$300,000 as a grant to Three Rivers Community Action, Inc. to be contributed to the Development. The City anticipates that it will recoup this expenditure through additional tax increments on the project based on expected market value and tax rate increases.

Adopted by a vote of yeas and nays this 2nd day of May, 2022.

YEAS

NAYS

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

\_\_\_\_\_  
Mayor

**RESOLUTION NO.**

**A RESOLUTION OF SUPPORT FOR 1st AND 3rd APARTMENTS ADDITIONAL FUNDING**

WHEREAS, the City of Austin is a municipal corporation and political subdivision duly organized and existing under the Constitution and laws of the State of Minnesota; and

WHEREAS, Pursuant to Minnesota Statutes 469.176, Subd. 4n, the City of Austin is authorized to use Tax Increment Financing (TIF) from Tax Increment Financing District #11 after the adoption of a Spending Plan; and

WHEREAS, a need has been identified for additional affordable housing in the City, based on the 2017 Housing Study commissioned by the City of Austin; and

WHEREAS, Three Rivers Community Action, Inc. is a non-profit organization dedicated to creating affordable housing; and

WHEREAS, Three Rivers Community Action, Inc. is currently proposing to develop an affordable housing project consisting of forty (40) apartment units (Development) on the block located to the east of the Post office at 1<sup>st</sup> Avenue and 3<sup>rd</sup> Street SE in Austin, MN for low-and-moderate income households with incomes at or below 60% of area median income; and

WHEREAS, it is anticipated that successful development of the project will require participation of the community through project additional financing; and

WHEREAS, Three Rivers Community Action, Inc. will be submitting a Low-Income Housing Tax Credit application to the Minnesota Housing Finance Agency in July of 2022 for the Development; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Austin finds that the Development will meet an identified need to provide additional affordable housing and furthermore, subject to approval of the Minnesota Housing tax credit funding, the City awards the following:

1. \$540,000 of additional funding as a grant to Three Rivers Community Action, Inc. to be contributed to the Development from the Tax Increment Financing District #11 fund balance, as allowed by current state statute.
2. \$600,000 of additional funding commitment that will be received from The Hormel Foundation for the Development as a grant to Three Rivers Community Action, Inc. to be contributed to the Development.
3. The City of Austin will contribute up to \$10,000 of legal fees in setting up this project through the Building Fund.

Adopted by a vote of yeas and nays this 2nd day of May, 2022.

YEAS

NAYS

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

\_\_\_\_\_  
Mayor

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



Phone: 507-437-9940

[www.ci.austin.mn.us](http://www.ci.austin.mn.us)

May 2, 2022

Re: 1st and 3rd Apartments – Austin, MN

Dear Sir/Madam:

At its meeting on May 2, 2022, the Austin City Council reviewed and endorsed the 1st and 3rd Apartments housing development proposal that proposes 40 new construction apartment units in the city of Austin. This endorsement is based upon the findings that the project will meet locally identified housing needs and that the proposed housing is in short supply in the local housing market. This need is evidenced by the most recent Maxfield Housing Study dated September of 2017 commissioned by the Housing and Redevelopment Authority of Austin.

As part of its endorsement, the City also proposes local financial assistance through the use of tax increment financing (TIF). The Austin City Council approved the allocation of \$915,000 in tax increment financing for a total of 26 years for the 1st and 3rd Apartments housing proposal. This assistance will be in the form of pay-as-you go TIF.

The Austin City Council approved the following project financing for the \$915,000, subject to approval of the Minnesota Housing tax credit funding:

- The City agrees to provide a TIF-supported loan in the amount of \$615,000 at an annual interest rate of 1% for a term of 26 years to be repaid by the tax increments generated by the development. The City will agree to subordinate this loan to the first mortgage loan for the development.
- The City agrees to provide additional funding in the amount of \$300,000 as a grant to Three Rivers Community Action, Inc. to be contributed to the development. The City anticipates that it will recoup this expenditure through additional project tax increments based on expected market value and tax rate increases.

Additionally, the City has pledged unobligated tax increments from TIF District #11, as approved by Dorsey and Whitney and BakerTilly, in the amount of \$540,000 as a grant to Three Rivers Community Action, Inc. to be contributed to the development as allowed by current tax increment statutes.

The City will also utilize a \$600,000 contribution from The Hormel Foundation as a grant to Three Rivers Community Action, Inc. to be contributed to the development.

The City will contribute up to \$10,000 of legal fees in setting up the TIF financing for the development through the Building Fund. Normally, these fees would be charged to the developer, but in this case the City will not request reimbursement from the developer as instead we would like to show our continued support for the project by contributing this cost.

The Austin City Council endorsement and funding commitment is evidenced by the Austin City Council's approval of Resolution XXXXX, a copy of which is included with this letter.

Sincerely,

Stephen M. King  
Mayor, City of Austin



**To: Mayor and Council**

**From: Taggart J. Medgaarden**

**Subject: Preserving right to establish Redevelopment District**

**Date: 4/26/2022**

The Austin HRA continues to work on addressing housing needs in the Community. As previously reviewed with the Council in a previous work session we are working with Three Rivers Community Action to apply in 2022 for tax credits to be used for a housing project. Because this is a competitive application process and we have no guarantees of having our project being selected. The three homes in the designated project area are slated for demolition, but before that occurs, we want to put two things in place in case a housing project does not come to fruition and changes directions into a redevelopment project.

**Items:**

- 1) Passing a Resolution finding the buildings to be substandard prior to demolition and**
- 2) Passing a Resolution establishing an interfund loan for the advancement of funds related to redevelopment costs.**

By passing these two resolutions we will be preserving our right to establish a Redevelopment District in the future, in the event the tax credits are not secured for an affordable housing project. Both these Resolutions have already been passed by the HRA Board of Commissioners at its 4/25/2022 monthly meeting. Also included is the report regarding the buildings exceeding the substandard thresholds, also you will find a sampling of photos highlighting some of the problem areas.

If you have any questions, please feel free to contact me at 1-507-433-1866.

## Report on Structurally Substandard Building

Building location/address: 201 2<sup>nd</sup> ST SE Austin MN 55912

### Step 1

Under the tax increment law, specifically, Minnesota Statutes, Section 469.174, Subdivision 10, a building is **structurally substandard** if it contains "defects in structural elements or a combination of deficiencies in essential utilities and facilities, light and ventilation, fire protection including adequate egress, layout and condition of interior partitions, or similar factors, which defects or deficiencies are of sufficient total significance to justify substantial renovation or clearance."

The above building, based upon actual interior inspection, meets the above-referenced definition of structurally substandard for the following reasons:

Foundation repair, Install new furnace, Install kitchen cabinets, Install working appliances, Replace windows to meet building code (tempered), Front porch steps, Patch plaster holes throughout entire house, Replace all ceiling light fixtures, Install new front door, Remove tree that is causing foundation failure, Replace all broken interior doors.

### Step 2

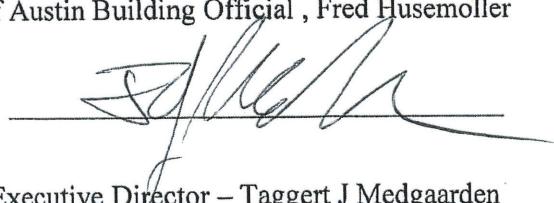
Notwithstanding the foregoing, the tax increment law also provides that a building may not be considered structurally substandard if it is in compliance with the building code applicable to new buildings or could be modified to satisfy the current building code at a cost of less than 15% of the cost of constructing a new building of the same square footage and type on the same site. The undersigned has calculated the cost of a new building of the same size and type to be \$271,000 (B) and has also estimated that the cost of bringing the existing building up to current building code would be \$45,000 (A). Therefore, since A divided by B is equal to or greater than .15, the existing building could not be brought up to current building code for less than 15% of the new building.

Date: 4/25/2022.



City of Austin Building Official , Fred Husemoller

Date: 4/25 , 22.



Austin HRA Executive Director – Taggart J Medgaarden

Note: Additional documentation and data may be attached as part of this report.

### **Guidance Points on Determining Buildings Structural Substandard**

1. Please note that this is a two-step process and both steps must be satisfied in order for a building to be structurally substandard.
2. It is not sufficient to conclude that a building is structurally substandard solely because step 2 is satisfied. It is theoretically possible for a building to require extensive renovation in order to meet current building code but still not meet the main test of step 1.
3. In many cases the particular building code deficiencies may well contribute to the data which supports satisfying step 1; conversely, it is certainly possible that identified hazards or other deficiencies which could be included in step 1 do not necessarily constitute current building code nonconformities.

201 2<sup>nd</sup> ST SE



## Report on Structurally Substandard Building

Building location/address: 203 2<sup>nd</sup> ST SE Austin MN 55912

### Step 1

Under the tax increment law, specifically, Minnesota Statutes, Section 469.174, Subdivision 10, a building is **structurally substandard** if it contains "defects in structural elements or a combination of deficiencies in essential utilities and facilities, light and ventilation, fire protection including adequate egress, layout and condition of interior partitions, or similar factors, which defects or deficiencies are of sufficient total significance to justify substantial renovation or clearance."

The above building, based upon actual interior inspection, meets the above-referenced definition of structurally substandard for the following reasons:

Re-do all electrical wiring to meet current electrical code (currently uninspected). Install duct work to complete furnace. Install kitchen cabinets. Install working appliances. Repair all water lines and drain lines. Replace all ceiling light fixtures. Re-sheetrock entire house. Replace exterior doors. Install trim on all windows.

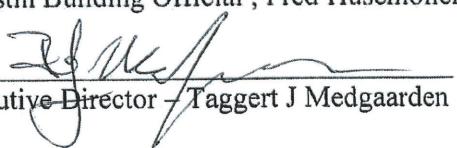
### Step 2

Notwithstanding the foregoing, the tax increment law also provides that a building may not be considered structurally substandard if it is in compliance with the building code applicable to new buildings or could be modified to satisfy the current building code at a cost of less than 15% of the cost of constructing a new building of the same square footage and type on the same site. The undersigned has calculated the cost of a new building of the same size and type to be \$189,000 (B) and has also estimated that the cost of bringing the existing building up to current building code would be \$35,000(A). Therefore, since A divided by B is equal to or greater than .15, the existing building could not be brought up to current building code for less than 15% of the new building.

Date: 4/25/22, \_\_\_\_\_.

  
City of Austin Building Official, Fred Husemoller

Date: 4/25, 22.

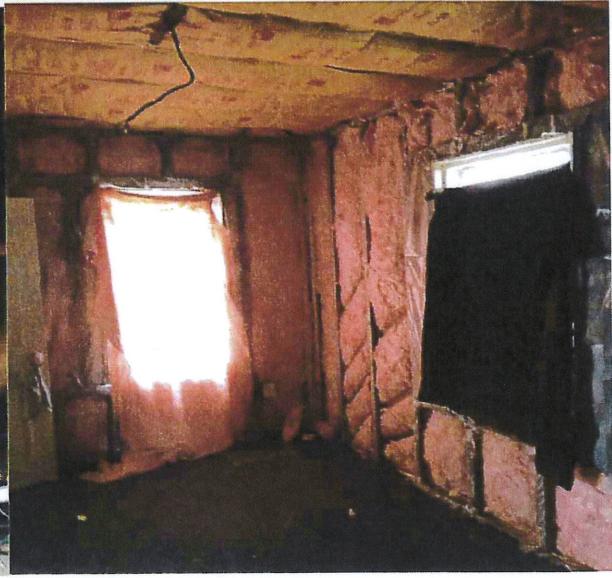
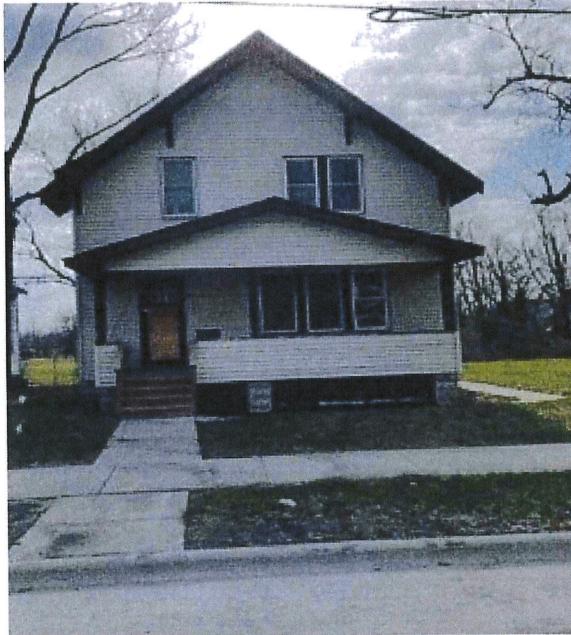
  
Austin HRA Executive Director - Taggert J. Medgaarden

Note: Additional documentation and data may be attached as part of this report.

### **Guidance Points on Determining Buildings Structural Substandard**

1. Please note that this is a two-step process and both steps must be satisfied in order for a building to be structurally substandard.
2. It is not sufficient to conclude that a building is structurally substandard solely because step 2 is satisfied. It is theoretically possible for a building to require extensive renovation in order to meet current building code but still not meet the main test of step 1.
3. In many cases the particular building code deficiencies may well contribute to the data which supports satisfying step 1; conversely, it is certainly possible that identified hazards or other deficiencies which could be included in step 1 do not necessarily constitute current building code nonconformities.

203 2<sup>nd</sup> ST SE



## Report on Structurally Substandard Building

Building location/address: 207 2<sup>nd</sup> ST SE Austin MN 55912

### Step 1

Under the tax increment law, specifically, Minnesota Statutes, Section 469.174, Subdivision 10, a building is **structurally substandard** if it contains "defects in structural elements or a combination of deficiencies in essential utilities and facilities, light and ventilation, fire protection including adequate egress, layout and condition of interior partitions, or similar factors, which defects or deficiencies are of sufficient total significance to justify substantial renovation or clearance."

The above building, based upon actual interior inspection, meets the above-referenced definition of structurally substandard for the following reasons:

**Entire House:** Upgrade 60 amp electrical service to minimum 100 amp service. Add required fire separation walls and ceilings between units per code.

**Lower Right Unit:** Install kitchen cabinets. Install working appliances. Inspect and replace wall heaters. Replace rotted siding and paint entire house. Repair interior doors. Repair all water lines and drain lines.

**Lower Left Unit:** Install kitchen cabinets. Install working appliances. Inspect and replace wall heaters. Repair all water lines and drain lines. Replace damaged bathroom fixtures. Repair interior doors. Replace all ceiling lights. Inspect and replace wall heaters

**Upper Unit:** Inspect or replace space heater. Install kitchen cabinets. Install working appliances. Replace all ceiling fixtures.

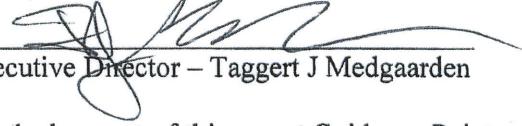
### Step 2

Notwithstanding the foregoing, the tax increment law also provides that a building may not be considered structurally substandard if it is in compliance with the building code applicable to new buildings or could be modified to satisfy the current building code at a cost of less than 15% of the cost of constructing a new building of the same square footage and type on the same site. The undersigned has calculated the cost of a new building of the same size and type to be \$270,000 (B) and has also estimated that the cost of bringing the existing building up to current building code would be \$56,000 (A). Therefore, since A divided by B is equal to or greater than .15, the existing building could not be brought up to current building code for less than 15% of the new building.

Date: 4/25/2022

  
City of Austin Building Official, Fred Husemoller

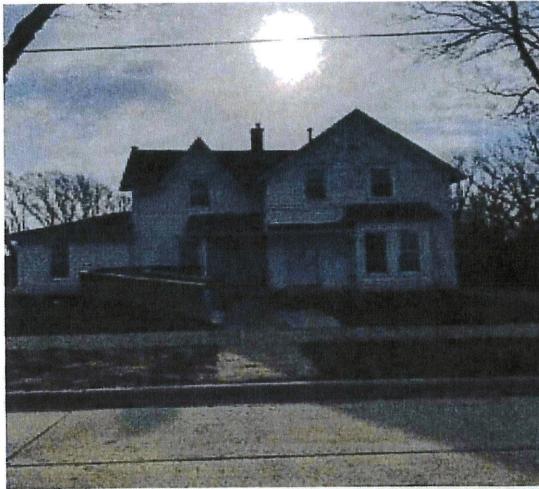
Date: 4/25/2022

  
Austin HRA Executive Director – Taggert J Medgaarden

Note: Additional documentation and data may be attached as part of this report. Guidance Points on Determining Buildings Structural Substandard

1. Please note that this is a two-step process and both steps must be satisfied in order for a building to be structurally substandard.
2. It is not sufficient to conclude that a building is structurally substandard solely because step 2 is satisfied. It is theoretically possible for a building to require extensive renovation in order to meet current building code but still not meet the main test of step 1.
3. In many cases the particular building code deficiencies may well contribute to the data which supports satisfying step 1; conversely, it is certainly possible that identified hazards or other deficiencies which could be included in step 1 do not necessarily constitute current building code nonconformities.

207 2<sup>nd</sup> ST SE



**CITY OF AUSTIN  
MOWER COUNTY  
STATE OF MINNESOTA**

Council member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION FINDING THAT PARCELS ARE OCCUPIED BY STRUCTURALLY  
SUBSTANDARD BUILDINGS**

WHEREAS, the City of Austin, Minnesota (the "City") and the Austin Housing and Redevelopment Authority (the "HRA") are considering the establishment of a new Tax Increment Financing District ("TIF District") located at Bolcoms Addition, Block 6, lots 5, 8, 9 and 12; and

WHEREAS, the HRA and City have engaged City building officials to inspect and evaluate the existing conditions for compliance with Minnesota Statutes regarding establishment of a tax increment financing district; and

WHEREAS, building officials conducted a physical inspection of the properties and submitted a report dated 4/25/2022.

NOW THEREFORE BE IT RESOLVED by the City Council (the "Council") of the City, as follows:

1. The City intends to include in a TIF District to be created by the City under Minnesota Statutes, Sections 469.174 to 469.1794, three tax parcels located in the City of Austin at Bolcoms Addition, Block 6, lots 5, 8, 9 and 12 consisting of PID Numbers 34.100.0500, 34.100.0480 and 34.100.0480 (the "Parcels"), on which three existing buildings are located.
2. The HRA and City have caused inspection of the Parcels and the buildings located thereon and to prepare a report as to the Parcels and the conditions of the buildings. A copy of the report of the building officials dated 4/25/2022 (the "Report"), has been presented to and reviewed by the Board of Commissioners of the HRA and this Council. It is expected that the buildings located on the Parcels will be demolished and removed prior to the creation of the TIF District. It is also expected that the demolition and removal will be performed by the City and HRA and that the costs of such work will be financed by the HRA pursuant to a tax increment interfund loan or done by a developer pursuant to a development agreement.
3. The Council hereby finds as follows:
  - a. That all of the Parcels, consisting of 100 percent of the area of the proposed TIF District, are occupied by buildings, streets, utilities, or paved drives or parking lots;

- b. that the three buildings (100 percent) located on the Parcels are structurally substandard within the meaning of Minnesota Statutes, Section 469.174, Subd. 10(b), since they contain defects in structural elements or a combination of deficiencies in essential utilities and facilities, light and ventilation, fire protection including adequate egress, layout and condition of interior partitions, or similar factors, which defects or deficiencies are of sufficient total significance to justify substantial renovation or clearance;
- c. that the three buildings (100 percent) located on the Parcels are not in compliance with the building code applicable to new buildings and require substantial renovation and could not be modified to satisfy the building code at a cost of less than 15% of the cost of constructing a new structure of the same square footage and type on the Parcels;
- d. that the conditions described in (a), (b), and (c) above are reasonably distributed throughout the geographic area of the proposed TIF District; and
- e. after the demolition and removal of the buildings on the Parcels, the City intends to include the Parcels within the proposed TIF District. In making the findings under (a)-(d) above, the HRA and City are relying on the Report.

4. It is anticipated that the Board of the HRA will adopt a resolution making the same findings in Section 3 above.

Dated: May 2nd, 2022

ATTEST:

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Steve King, Mayor

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Tom Dankert, City Recorder

(Seal)

**CITY OF AUSTIN  
MOWER COUNTY  
STATE OF MINNESOTA**

Council member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AUTHORIZING REIMBURSEMENT FROM TAX  
INCREMENT PURSUANT TO AN INTERFUND LOAN FOR ADVANCE  
OF CERTAIN HRA COSTS IN CONNECTION WITH A TAX  
INCREMENT FINANCING DISTRICT WITHIN MUNICIPAL  
DEVELOPMENT DISTRICT NO. 1.**

BE IT RESOLVED by the City Council (the "Council") of the City of Austin, Minnesota (the "City"), as follows:

Section 1. Background.

1.01. The City and the Austin Housing and Redevelopment Authority (the "HRA") anticipate the future establishment of a Tax Increment Financing (Redevelopment) District (the "TIF District") within Municipal Development District No. 1 (the "Project Area") for the purpose of financing certain improvements within the Project Area.

1.02. The HRA has determined to pay for certain costs related to redevelopment of the project site consisting of land/building acquisition, site improvements/preparation, public utilities, other qualifying improvements, interest and administrative costs (collectively, the "Qualified Costs"), which costs may be financed on a temporary basis from HRA funds available for such purposes.

1.03. This Council has received notification of the intent of an HRA interfund resolution (the "Interfund Resolution") authorizing the advancement or loan from the HRA's general fund or any other fund from which such advances may be legally authorized, in order to finance the Qualified Costs.

1.04. It has been proposed that the City agree to reimburse the HRA for the Qualified Costs with tax increment generated from the TIF District in accordance with the terms set forth in the Interfund Resolution, should the City alone establish the TIF District and collect tax increment revenues generated therefrom.

Section 2. Approval.

2.01. The City agrees to reimburse the HRA for the Qualified Costs with tax increment generated from the TIF District in accordance with the terms set forth in the Interfund Resolution, should the City alone establish the TIF District and collect tax increment revenues generated therefrom.

Section 3. Effective Date. This resolution is effective upon the date of its approval.

The motion for the adoption of the foregoing resolution was duly seconded by Council member \_\_\_\_\_, and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same.

Dated: May 2nd, 2022

ATTEST:

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Steve King, Mayor

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Tom Dankert, City Recorder

(Seal)

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



Phone: 507-437-9940

[www.ci.austin.mn.us](http://www.ci.austin.mn.us)

**MEMO**

TO: Mayor and City Council

FROM: Thomas Dankert *TD*

DATE: April 22, 2022

SUBJECT: Performance Measurement Aid

**U:\Word\2022\Miscellaneous\LPA.doc**

In 2013 the State of Minnesota adopted a program of performance measurement whereby City's would be eligible for additional Local Government Aid (LGA) by participating in a survey with their constituents. Participants are eligible for 0.14 per capita in additional LGA, which for Austin amounts to around an extra \$3,600. Austin has participated in this program from the start.

Council is required to adopt a resolution (attached) and file a report with the Office of the State Auditor by July 1 to be eligible for the additional LGA.

The survey will soon be listed on our website. As we approach the July 1 deadline, we will be summarizing the results and reporting them to both the State of Minnesota and our residents.

Please do not hesitate to give me a call if you have any questions.

**RESOLUTION NO.**

**AFFIRMING THE CITY OF AUSTIN'S PARTICIPATION IN THE OFFICE OF THE STATE  
AUDITOR'S VOLUNTARY 2022 PERFORMANCE MEASUREMENTS PROGRAM**

**WHEREAS**, benefits to the City of Austin for participation in the Minnesota Council on Local Results and Innovation's comprehensive performance measurement program are outlined in MS 6.91 and include eligibility for a reimbursement as set by state statute; and

**WHEREAS**, any city or county participating in the comprehensive performance measurement program is also exempt from levy limits for taxes, if levy limits are in effect; and

**WHEREAS**, the City Council of Austin has adopted and implemented 10 of the performance measures, as developed by the Council on Local Results and Innovation, and a system to use this information to help plan, budget, manage and evaluate programs and processes for optimal future outcomes.

**NOW THEREFORE, BE IT RESOLVED THAT** that the City Council of Austin will continue to report the results of the performance measures to its citizenry through the end of the year through posting on the city's website.

**BE IT FURTHER RESOLVED** that the Office of the State Auditor the actual results of the performance measures adopted by the city.

Passed by a vote of yeas and nays this 2<sup>nd</sup> day of May, 2022.

YEAS

NAYS

ATTEST:

APPROVED:

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City Recorder

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Mayor

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



Phone: 507-437-9940

[www.ci.austin.mn.us](http://www.ci.austin.mn.us)

TO: Mayor and City Council  
 FROM: *TD* Tom Dankert, Director of Administrative Services  
 DATE: April 25, 2022  
 RE: Senior Center parking lot  
 U:\Word\2022\Miscellaneous\Senior Center parking lot.doc

Assistant City Engineer Mitch Wenum and myself were invited to the Mower County Seniors, Inc. board meeting on Friday April 22 to discuss the scheduled parking lot overhaul that is ready to bid for 2022. As part of this discussion, we had additional conversation regarding the potential to create a patio in the southwest front of the building. Mr. Wenum had already run the estimates on this option and we presented the costs to the Board to encourage discussion and to potentially get a local contribution from them for some of the improvements.

- **Original Improvements (Box 1 on the attached)** = The City has \$80,000 setting aside in the Building Fund for the parking lot renovations. This will include milling the top layer off, fixing some problem areas deeper down, and then placing new asphalt back on the parking lot. However, we have now added the replacement of numerous sidewalk deficiencies around the building in addition to the planned replacement of the heaved sidewalk in the main entrance. These additional projects, plus inflation, have now driven these costs to an estimated **\$97,150**.
- **Other Proposed Improvements (Box #2 on the attached)** = since we are ripping up the current asphalt and all of the sidewalk in front of the building, we would like to add the items in Box #2 for an additional **\$20,255** of estimated cost. This will use staff time to redirect all of the down spouts underground into the storm sewer, versus running the water over the sidewalk and parking lot (this is what caused some of our parking lot problems). This drainage option we believe will extend the useful life of our new parking lot and will make it even safer for the users of this city facility.
- **Added amenities (Box 3 on the attached)** = Mower County Seniors, Inc. would like to add the patio as a part of the project, at an estimated cost of **\$20,895** for which they have agreed to donate to the City the costs related to box #3 (patio, fencing, electrical conduit) from their programming fund balance. This will allow them to choose a higher quality fence, stamped concrete, etc. if they want to pay the cost of an upgraded patio.

We would request Council approve additional funding for the Senior Center parking lot (\$120,000 from Box #1 and #2, rounded up), plus Box #3 for \$20,895 to be reimbursed to us by Mower County Seniors, Inc.

The city will bid out all Box #1 items, PLUS the 4" concrete walk-new patio in Box #3. All of the items in Box #2 will be purchased by the City directly from suppliers and charged to the

project. The Box #3 items of patio fencing will be negotiated with a local fence contractor with input/decision made by Mower County Seniors, Inc (at their cost). We already have a quote from a local electrician for the conduit installation as part of Box #3. At this time, we want to ensure the Council will authorize the additional funding for our share of the project.

Special thanks to Mitch and his staff for preparing the attached documents for your review, and for working with Mower County Seniors, Inc. on a new plan that we believe will enhance the Senior Center building that is owned by the City of Austin.

If you have any questions on the purchases, please do not hesitate to give me a call.

**Engineer's Estimate**  
**Senior Center Parking Lot Improvements-CP 22307**

Work Performed by Contractor					
NO.	ITEM	UNIT	Quantity	UNIT PRICE	TOTAL
1	Remove Concrete Curb & Gutter	LF	100	\$8.00	\$800.00
2	Remove Concrete Walk	SF	2,500	\$3.00	\$7,500.00
3	Common Excavation	CY	120	\$25.00	\$3,000.00
4	Aggregate Base	TON	250	\$25.00	\$6,250.00
5	Mill Asphalt Pavement 1.5"	SY	3,400	\$5.00	\$17,000.00
6	Asphalt Paving	TON	295	\$100.00	\$29,500.00
7	4" Concrete Walk-South Side of Building	SF	1,635	\$10.00	\$16,350.00
8	4" Concrete Walk-City Sidewalk	SF	865	\$10.00	\$8,650.00
9	Truncated Domes	SF	40	\$70.00	\$2,800.00
10	Curb & Gutter	LF	100	\$50.00	\$5,000.00
11	Concrete Curb, Design V4	LF	10	\$30.00	\$300.00
Total Contractor					\$97,150.00

#1

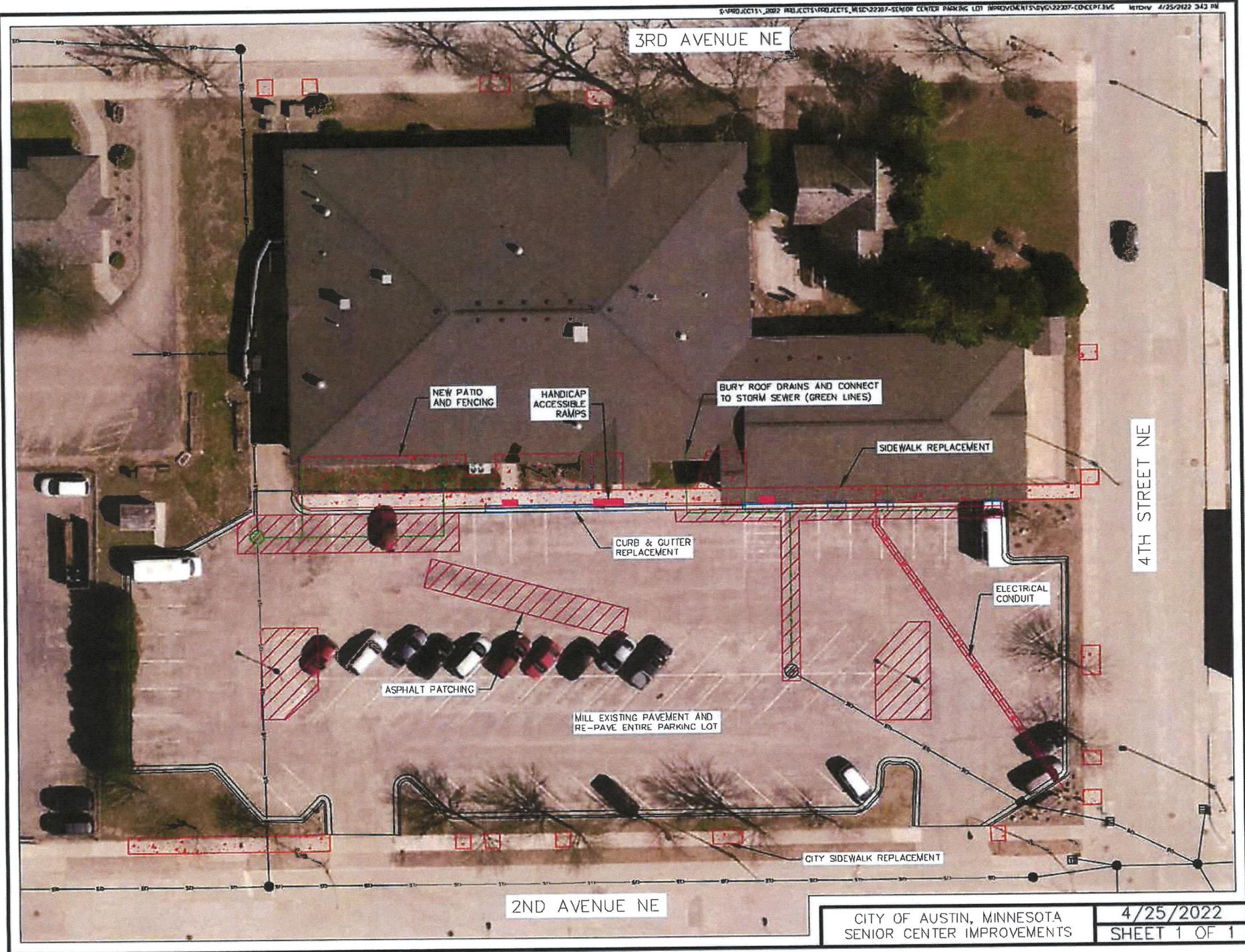
In-Kind Work & Materials Purchased and Installed by City Staff					
NO.	ITEM	UNIT	Quantity	UNIT PRICE	TOTAL
12	6" PVC Pipe	LF	105	\$25.00	\$2,625.00
13	8" PVC Pipe	LF	165	\$30.00	\$4,950.00
14	12" PVC Pipe	LF	52	\$40.00	\$2,080.00
15	Storm Sewer MH	EA	1	\$2,500.00	\$2,500.00
16	Asphalt Patching	TON	80	\$75.00	\$6,000.00
17	Parking Lot Striping	LS	1	\$1,000.00	\$1,000.00
18	Handicap Parking Signage	EA	11	\$100.00	\$1,100.00
Total In-Kind Work and Materials					\$20,255.00

#2

Items Paid by Senior Center					
NO.	ITEM	UNIT	Quantity	UNIT PRICE	TOTAL
19	4" Concrete Walk-New Patio	SF	1,175	\$10.00	\$11,750.00
20	Patio Fencing	LF	110	\$50.00	\$5,500.00
21	Electrical Conduit	LS	1	\$3,645.00	\$3,645.00
Total Senior Center					\$20,895.00

#3

Total Project Cost \$138,300.00



3RD AVENUE NE

OLD PARKING LOT

- 74 TOTAL PARKING SPACES
- 8 OF THE 74 WERE HANDICAP ACCESSIBLE

PROPOSED PARKING LOT

- 75 TOTAL PARKING SPACES
- 11 OF THE 75 ARE HANDICAP ACCESSIBLE
- 6 OF THE 11 ARE VAN ACCESSIBLE
- ADA REQUIRES 4 HANDICAP ACCESSIBLE PARKING SPACES, 1 OF WHICH MUST BE VAN ACCESSIBLE

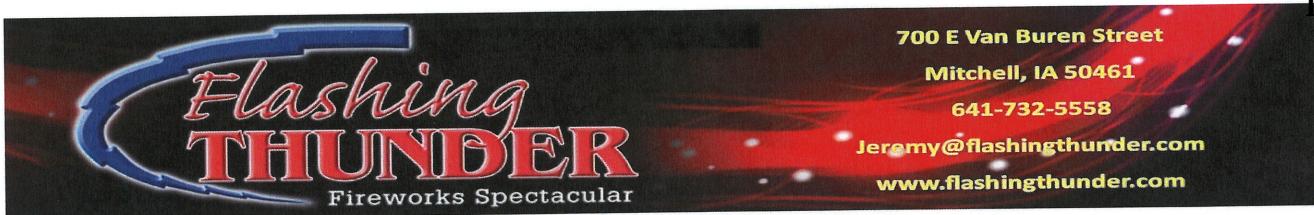
HANDICAP  
ACCESSIBLE  
RAMPS

DROP-OFF AREA

4TH STREET NE

2ND AVENUE NE

CITY OF AUSTIN, MINNESOTA  
SENIOR CENTER IMPROVEMENTS4/11/2022  
SHEET 1 OF 1



## FIREWORKS DISPLAY CONTRACT

This contract entered into this day of April 25,2022 by and between Flashing Thunder Fireworks of Mitchell, Iowa and  
 Customer: City of Austin

Town/City: Austin State: MN

Flashing Thunder Fireworks for and in consideration of the terms herein after mentioned, agrees to furnish to the CUSTOMER (1) one fireworks display(s) as per agreement made and accepted, including the services of our Operator to take charge of fireworks display under the supervision of the display company, said display to be given on the evening(s) of: July 4, 2022. Rain date: July 5, 2022

1. **Weather:** It is understood that should inclement weather prevent the giving of this display on the date mentioned herein the parties shall agree to a mutually convenient alternate date, within six (6) months of the original display date. Customer shall remit to the first party an additional 15% of the total contract price for additional expenses in presenting the display on an alternate date. The determination to cancel the show because of inclement or unsafe weather conditions shall rest within the sole discretion of FLASHING THUNDER FIREWORKS. In the event the customer does not choose to reschedule another date or cannot agree to a mutually convenient date, FLASHING THUNDER FIREWORKS shall be entitled to up to 40% of the contract price for cost, damages, and expenses. If the fireworks exhibition is canceled by the CUSTOMER prior to the display, CUSTOMER shall be responsible for and shall pay to FLASHING THUNDER FIREWORKS, on demand, all FLASHING THUNDER FIREWORKS's out of pocket expenses incurred in preparation for the show including but not limited to: preparations, design cost, deposits, licenses and employee charges.
2. **FLASHING THUNDER FIREWORKS** agrees to furnish all necessary fireworks display material and personnel for a fireworks display in accordance with the program approved by the parties and will abide with all state and federal regulation pertaining to the storing and displaying of fireworks.
3. **Payment:** It is further agreed and understood that the CUSTOMER is to pay FLASHING THUNDER FIREWORKS the sum of \$ 33,000.00 (thirty three thousand dollars and 00/100----) within 15 days after the display date. A service fee of 1.5% per month shall be added if account is not paid in full within the 15 days from the date of the show. All returned checks will be assessed a \$30.00 fee. CUSTOMER will be responsible for any permitting fees. If FLASHING THUNDER FIREWORKS is required to pay permit fees when filing permit applications, CUSTOMER understands that they will be billed for that amount.
4. **Insurance:** FLASHING THUNDER FIREWORKS shall be required to have a minimum of \$5,000,000 in commercial general Liability protecting it from claims for bodily injury and property damage caused by fireworks related incidents. By signing this contract Flashing Thunder will endorse the Customer as an additionally insured on it's commercial liability and excess liability policies
5. By Singing this agreement the CUSTOMER understands that City of Austin and their employees, officials, and agent are not covered under Flashing Thunder Fireworks general liability insurance when on the display site, and that any non FLASHING THUNDER FIREWORKS employees on the display site at any time are there at their own risk and will not hold FLAHSING THUNDER FIREWORKS responsible for accidents and injury accrued while on the display site.
6. **CUSTOMER Responsibilities:** Customer will provide the following items:
  - (a) Sufficient display site area, including a minimum spectator set back of 600 feet at all points from the discharge area.
  - (b) Protection of the display area by roping off or similar facility.
  - (c) Adequate police protection to prevent spectators from entering display area.
  - (d) Permit from Local Authority giving permission to Flashing Thunder Fireworks to display fireworks.

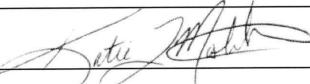
7. To the fullest extent permitted by law, Flashing Thunder Fireworks agrees to defend, indemnify and hold harmless Customer, and it's employees, officials, and agents from and against all claims, actions, damages, losses and expenses, including responsible attorney fees, arising out of Flashing Thunder Fireworks' negligence or Flashing Thunder Fireworks Failure to perform their obligations under this agreement. Flashing Thunder Fireworks' indemnification obligation shall apply to Flashing Thunder Fireworks subcontractors, or anyone directly or indirectly employed or hired by Flashing Thunder Fireworks, or anyone for whose acts Flashing Thunder Fireworks may be liable. Flashing Thunder Fireworks agrees this this indemnity obligation shall survive the completion or termination of this contract.
8. It is further agreed and mutually understood that nothing in this contract shall be construed or interpreted to mean a partnership, both parties being hereto responsible for their separate and individual debts and obligations and neither party shall be responsible for any agreements not stipulated in this contract. CUSTOMER agrees to pay reasonable attorney's fees and collection fees incurred by FLASHING THUNDER FIREWORKS of any amount due under this agreement and invoice.

The parties hereto do mutually and severally guarantee terms, conditions, and payments of this contract, these articles to be binding upon the parties themselves, their heirs, executors, administrators, successors and assigns.

**FLASHING THUNDER FIREWORKS**

By: Katie Mostek

Title: V.P.

Sign: 

Date 4/25/2022

**CUSTOMER**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sign: \_\_\_\_\_

Date \_\_\_\_\_

RESOLUTION NO.

APPROVING A FIREWORKS CONTRACT FOR 2022

WHEREAS, the City of Austin has been tasked with planning the 2022 Freedom Fest fireworks, and

WHEREAS, the City desires to sign a contract in the amount of \$33,000 with Flashing Thunder Fireworks for a one-night display on July 4, 2022; and

WHEREAS, funding for the fireworks will come from City budgeted funds, the Hormel Foundation and other community partners.

NOW THEREFORE, BE IT RESOLVED that the Austin City Council authorizes the Mayor and City Recorder to sign a fireworks contract for 2022 with Flashing Thunder Fireworks.

Passed by a vote of yeas and nays this 2nd day of May, 2022.

YEAS

NAYS

ATTEST:

APPROVED:

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City Recorder

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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:** April 26<sup>th</sup>, 2022  
**Subject:** 2022 Electronics Recycling Event (11<sup>th</sup> Annual)

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The City of Austin and Mower County Public Works Departments have been working together to sponsor an electronics recycling event each year since 2011. These events have been extremely successful, each year hauling away 5+ semi-trailer loads of recyclable materials.

Based on the overwhelming response to these events we are planning another event in spring of 2022. We again this year are working with, The Retrofit Companies and have set a date of Saturday, May 14<sup>th</sup>, 2022 from 9am-2pm. We would recommend as follows:

- City of Austin and Mower County partner to sponsor this event
- City of Austin Transfer Station budget and Mower County Recycling Center to each provide \$500 for advertising
- Event to occur Saturday, May 14<sup>th</sup>, 2022, 9am-2pm
- Event to be held at the Mower County Fairgrounds
- Event signage to be a joint project between City and County
- City of Austin to furnish fork lift for the event
- Minimal overtime costs

This is a cooperative project between the City and County Public Works Departments with minimal costs involved. The end result will be that residents will have the opportunity to get rid of electronics at minimal cost and less of this waste stream will end up being dumped in our parks and ditches.

**ACCEPTED** electronics items:

- TV's & Computer Monitors Any Screen FLAT or CRT
- Console & Projection TV's
- White Goods (stove/dryer/washer)
- Kitchen appliances (microwaves/toasters)
- Misc. small electronics (wire, mice, keyboards, etc.)
- Misc. items (vacuum cleaner/printers/speakers/CPU/LAPTOPS)
- Extra cost for Freon units (refrigerator/freezer/dehumidifier) and hard drive cleansing

**NOT ACCEPTED equipment at the event:**

- Smoke detectors, hazardous waste (broken glass), equipment with PCBs (capacitors), liquids, light bulbs, fluorescent tubes or mercury containing devices

If you have any questions, please contact me.



**City of Austin**  
**Craig Clark,**  
**City Administrator**



**500 Fourth Avenue N.E.**  
**Austin, Minnesota 55912-3773**  
**Phone: 507-437-9941**  
**[craigc@ci.austin.mn.us](mailto:craigc@ci.austin.mn.us)**  
**[www.ci.austin.mn.us](http://www.ci.austin.mn.us)**

**TO: Honorable Mayor and City Council Members**  
**FROM: Craig D. Clark, Administrator**  
**RE: EDA Grant Additional Local Match**

As you will recall, the City Council approved the submission of a grant to the Federal Economic Authority for infrastructure within Creekside Business Park for a total project cost of \$4,375,000. At the time this grant was hopeful for a special COVID apportionment of 80 percent EDA and 20 percent local match. The City Council agreed to cover the 20 percent match of \$875,000. We knew at the time that the standing program was a 50/50 grant program and if funding were depleted, we could be looking at utilizing the program on a 50/50 basis. We received notification of a preliminary grant award at the 50/50 basis (Exhibit 1) and causes us to consider coming up with another \$1,312,500 based off preliminary estimates.

There are gas, water and electric costs for Austin Utilities for the proposed extension. Their share of the overall estimated project cost is \$220,000 to \$250,000. I have asked Austin Utilities Manager Mark Nibaur, to inquire of his Boards support for this amount, which account for roughly 17-19% of the project costs. We had a general understanding that this would be a possibility should the grant move to a 50/50 arrangement.

Based off a generalized apportionment this leaves \$1,092,500 of remaining costs. The Austin Port Authority met on April 27<sup>th</sup> and approved funding 50 percent of this estimated amount by paying roughly \$546,250. The Port Authority was informed that I would also be approaching the City Council for the additional gap to accommodate the overall project match requirements.

Creekside has been a primary focus of the Port Authority and being successful in getting outside assistance, AU and Port Authority contributions it seems a reasonable for the Council to contribute \$546,250 additionally towards the project as we work cooperatively to provide cost effective infrastructure as we strive to compete for further economic development projects within the park. The money for our additional match would come from fund balance within the General Fund.

Please let me know if you have any questions.

**Council action is requested to approve an additional estimated allocation of \$546,250 to accommodate the match requirements for the EDA grant.**



**U.S. DEPARTMENT OF COMMERCE**  
**Economic Development Administration**  
**CHICAGO REGIONAL OFFICE**  
230 SOUTH DEARBORN ST., SUITE 3280  
CHICAGO, ILLINOIS 60604-1512

In reply refer to:  
EDA Control No. 118771

Ms. Holly Wallace  
Planning and Zoning Administrator  
City of Austin  
500 4th Avenue NE  
Austin, MN 55912-3773

Dear Ms. Wallace,

The Economic Development Administration (EDA) is pleased to inform you that your application has been reviewed for merit and selected for further consideration. **Please note that this notification of further consideration is intended to inform you of EDA's competitive preliminary selection of your project, but does not guarantee final approval or legally bind EDA to make an award.**

Subject to the availability of funds, your proposed project, estimated to cost \$4,375,350, will be considered for up to \$2,187,675 in EDA funding under the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. Section 3121 *et seq.*) for the Creekside Business Park project.

By acceptance of this letter, you agree to provide all additional information requested below, and any other additional information that may be requested subsequently. You also acknowledge that final approval and the timing of such an approval are subject to EDA's acceptance of all required information and the availability of EDA funding.

**Additional Information:** Please provide the following information to Darrin Fleener, EDR, by Friday, April 15, 2022.

Engineering

1. Revise section C.11. of the Preliminary Engineering Report and include a more fulsome explanation for how you reached a total of \$176,000 for administrative costs. This expense is significantly higher than EDA typically funds.
2. Submit a revised Utility Installation Memo that addresses the items in 13 CFR § 305.7 and clarifies how the city's sanitary and water main installed by city's own forces will be coordinated with the general contractor's work.
3. Confirm whether the upgraded utilities will be owned and maintained by the City of Austin.
4. Provide confirmation that all the undeveloped parcels served by the project improvements are currently owned by the Austin Port Authority.
5. To ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Be advised that the firm who assisted with informing the Preliminary Engineering Report may therefore be precluded from participating in the RFQ for EDA funded design and inspection work.

Environmental

6. Provide evidence of coordination with the U.S. Army Corps of Engineers and Historic Preservation consultation. Provide the packages submitted to each entity along with their formal responses.

7. Complete the EDA public notice process and provide an affidavit of publication. A public notice template is available upon request.
8. Revise Section C.19. of the Environmental Narrative. The cumulative effects and mitigation should focus on environmental analysis.
9. If significant tree clearing is anticipated, consultation with the U.S. Fish and Wildlife Service may be warranted. Please indicate whether tree clearing will be necessary.

Other

10. Confirm whether Austin Port Authority is a separate legal entity from the city. If so, it is recommended that the Austin Port Authority join the project as a co-applicant due to their ownership of the industrial park parcels. Please submit the following co-applicant forms from the Austin Port Authority:
  - a. SF-424, SF-424D, ED-900A, Applicant Certification Clause, CD-511, and SF-LLL, if applicable.
  - b. Updated ED-900 with Austin Port Authority listed as a co-applicant.
11. Submit an updated match letter that clearly lists the match amount and source. Please ensure that the match letter references the language from the NOFO, noting that funds are available, committed, and unencumbered.

The information requested above will supplement your application and enable EDA to proceed with processing your application. Failure to meet this deadline, or the submission of incorrect or incomplete information, will jeopardize approval of your application. If you cannot meet this deadline, please advise Darrin Fleener, EDR for Minnesota, at (312) 405-8521 or [dfleener@eda.gov](mailto:dfleener@eda.gov) as soon as possible.

EDA will assess the additional information provided upon receipt. EDA's assessment of this information may determine one of the following:

1. No additional information is necessary;
2. Additional information is required, because the submission is incomplete, inaccurate, or otherwise unacceptable to EDA, and the applicant(s) must revise the submission before EDA will consider processing the application further; or
3. EDA will discontinue considering the application for funding, because the information submitted does not present a project that complies with applicable law(s), regulations or policies.

Your organization must comply with EDA's Regulations (see 13 C.F.R. chapter III [http://www.eda.gov/pdf/EDAs\\_regs-13\\_CFR\\_Chapter\\_III.pdf](http://www.eda.gov/pdf/EDAs_regs-13_CFR_Chapter_III.pdf)).

**Final approval of an award is conditioned upon EDA's assessment of the additional information requested, project feasibility, funding priorities, and the availability of funds for obligation. This letter does not constitute a commitment for funding.**

If you have questions regarding the requested information or status of your application, please do not hesitate to contact Darrin Fleener, EDR for Minnesota, at (312) 405-8521 or [dfleener@eda.gov](mailto:dfleener@eda.gov).

Sincerely,

**SUSAN BREHM** Digitally signed by SUSAN BREHM  
Date: 2022.03.17 19:04:58 -05'00'

Susan M. Brehm  
Regional Director

**RESOLUTION NO.**

**AUTHORIZING THE REQUEST FOR QUALIFICATIONS FOR A  
UNITED STATES ECONOMIC DEVELOPMENT ADMINISTRATION STUDY**

Applicant Name: City of Austin, Minnesota

WHEREAS, the City of Austin, Minnesota, along with the rest of the State and Country, has experienced economic losses from the COVID 19 pandemic; and

WHEREAS, the Federal Department of Commerce's of Economic Development Association has designed a program is to recover economic losses from the loss of jobs experienced as a result of COVID 19 and Economic Development Assistance Program has received supplemental funding; and

WHEREAS, the City of Austin, Minnesota desires to participate in the program and shall solicit requests for proposals and qualifications from qualified engineering firms; and

WHEREAS, the City of Austin, Minnesota has identified and is committed to providing the necessary match for an estimated \$4,375,000 project for infrastructure development to support tax base and quality job creation within Creekside Business Park; and

WHEREAS, the City initially thought that match would be at 20% of the project amount but it now has come back at 50% of the project amount; and

WHEREAS, the matching 50% funding source will be from the City of Austin's fund balance and the City's Port Authority's General Fund; and

WHEREAS, the City's and Port's matching share: (i) is committed to the project for the period of performance, (ii) will be available as needed, and (iii) is not or will not be conditioned or encumbered in any way that may preclude its use consistent with the requirements of EDA investment assistance; and

WHEREAS, the City of Austin, Minnesota will work with the Austin Port Authority as necessary as the City's economic development arm and owner of the property; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Austin designates the Mayor as the authorized representative for the purposes of the EDA grant and City Recorder to execute agreements, and amendments thereto, as are necessary to implement the project on behalf of the Applicant.

Now, therefore be it also be resolved that the City Council authorizes the submission of the application to the EDA for the Economic Adjustment Assistance Program; and

The above resolution was adopted by a vote of yeas and nays the City Council (governing body of Applicant) of the City of Austin, Minnesota (Applicant) on May 2, 2022.

YEAS

NAYS

ATTEST:

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City Recorder

APPROVED:

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Mayor

**City of Austin**  
**City Clerk, Ann M. Kasel**



**500 Fourth Avenue N.E.**  
**Austin, Minnesota 55912-3773**  
**Phone: 507-437-9943**  
**Fax: 507-434-7197**  
**[www.ci.austin.mn.us](http://www.ci.austin.mn.us)**

## Memorandum

**To:** Mayor & Council  
**From:** Ann M. Kasel, City Clerk  
**Date:** April 28, 2022  
**Subject:** Election Judge Resolution

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We are preparing for the 2022 elections and recently completed election judge training. The Council needs to appoint the trained judges via resolution for the May 24<sup>th</sup>, August 9<sup>th</sup> and November 8<sup>th</sup> elections.

We thank all of the judges for their service to the community by being a judge. We could not do it without them!

Please let me know if you have any questions.

**RESOLUTION NO.**

**DESIGNATING ELECTION JUDGES AND POLLING PLACES  
FOR THE SPECIAL PRIMARY ELECTION, THE PRIMARY  
ELECTION AND GENERAL ELECTION  
TO BE HELD IN MAY, AUGUST AND NOVEMBER, 2022**

**BE IT RESOLVED**, by the City Council of the City of Austin, Minnesota, that the Judges of Election for the Special Primary, Primary and General Election of 2022 be as follows:

Marianne Frein, Mary Lindgren, Holly Wallace, Barbara Kime, Kelsey Ritchie, Jill Cordes, Alicianne Fritz, Vicki Schminke, Robert Silbaugh, Jean Marie Hastings, Joy Clark, Bruce Richardson, Lora Lee Bauer, Rodney Friedrich, Gail Frein, Lawrence Klemmer, Gordy Kuehne, Sherry Weaver, Ann Bundy, Dave Huinker, Harold Mayhew, Stacy Rowbal, Dave Needham, Jerry McCarthy, Miriam Luehmann, Christine Henricks, Becky Drong, Ronald Schultz, Karen Kelly, Roger Boughton, Stephanie Wilkinson, Jeff Weaver, Doran Kasel, Betsy Wuebker, Collene Brunton, Mary Hyland, Jane Mohn, Peter Wuebker, Gwendolyn Mortenson, Vicki Fisher, Diane Merritt, Marsha Kuehne, Julia Everson, Joy Maryanha, Donna Maas, Elaine Delhanty, Eileen Chao, Katie Stromlund, Taggart Medgaarden, Linda Huinker, Michael Postma, Shelley Vogel, Sandy May, Nitaya Jandragholica, Linda Wehner, Linda Baumann, Kenneth Schamberger, Eileen Wiebelhaus, Dennis Schminke, Kathy Larson, Barbie Schamberger, Pat Hollund, Daphne Wagner, Marilyn Prensil, Randal Forster, Dewayne Wilkinson, Suzanne McCarthy, Karen Mattson, Lana Hollerud, Martha Kaderabek, Sandy Thompson, Kim R. Schroeder, Beverly Severtson, Bridget Juenger, Cheryl Flanders, Andrea Stetzer, Gregg Ormseth, Debra Downing, Walter Schwartz, Deborah Burroughs, Miguel Garate, Catherine Haslag, Peggy Keener, Barbara Chromy, Brady Ray Voigt, Rebecca March, Eldeen Peter and other individuals, as necessary and deemed qualified by the City Clerk.

**BE IT FURTHER RESOLVED**, that the polls shall be open from 7:00 A.M. to 8:00 P.M. for the Special Primary Election on May 24, 2022, Primary Election on August 9, 2022 and the General Election on November 8, 2022; and

**BE IT FURTHER RESOLVED** that the following locations shall serve as polling places for the City of Austin:

**FIRST WARD**

First Election Precinct

Polling Location: City Hall, Council Chambers, 500 4<sup>th</sup> Avenue NE

Second Election Precinct

Polling Location: Austin High School, Hastings Gym, 301 3rd St NW

Third Election Precinct

Polling Location: Austin High School, Hastings Gym, 301 3<sup>rd</sup> Street NW  
(for the May 24<sup>th</sup> Primary Only)

SECOND WARD

First Election Precinct

Polling Location: Southgate School, 1601 19th Ave SW

Second Election Precinct

Polling Location: Banfield School, 301 17th St SW

THIRD WARD

First Election Precinct

Polling Location: Mower County Senior Center, 400 3<sup>rd</sup> Ave NE

Second Election Precinct

Polling Location: Ellis School, 1700 4th Ave SE

**BE IT FURTHER RESOLVED**, that the publication of this resolution shall be notice to all persons and parties concerned.

Passed by a vote of Yeas and Nays this 2nd day of May, 2022.

Yea

Nays

ATTEST:

APPROVED:

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City Recorder

---

Mayor

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](http://www.ci.austin.mn.us)

## Memorandum

**To:** Mayor and City Council

**Cc:** Roberto & Victoria Padilla  
804 1<sup>st</sup> Ave NW, Austin, MN 55912

**From:** Holly Wallace, Planning & Zoning Administrator

**Re:** Accumulation of Refuse and Junk  
At 804 1<sup>st</sup> Ave NW, Padilla Property

**Date:** April 29, 2022

---

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 804 1<sup>st</sup> 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



April 6<sup>th</sup>, 2022

Roberto & Victoria Padilla  
804 1<sup>st</sup> Ave NW  
Austin, MN 55912

RE: Zoning Violations at 804 1<sup>st</sup> Ave NW, Austin, MN 55912

Dear Roberto & Victoria:

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 April 6<sup>th</sup>, 2022 at this site and the following issues need to be resolved:

**1. Remove all junk/garbage from property**

The violation of Austin City Code Sections 10.01 Subd 2 & 3, 10.14 Subd.1(B) 4 and 10.14 Subd.4-6 were found. These City Code sections read as follows:

**City Code Section 10.01 Subd. 2. *Disposal required.*** Every person shall, in a sanitary manner, store and dispose of refuse that may accumulate upon property owned or occupied by him or her in accordance with the terms of this section. Garbage shall be collected or otherwise lawfully disposed of, at least once each week during the year.

**City Code Section 10.01 Subd 3. Deposit of garbage or refuse. It is unlawful:**

D. For any person to deposit anywhere within the city any refuse in a manner that it may be carried or deposited by the elements upon any public place or any other premises within the city;

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

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

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

**B. *Public nuisances affecting health***

5. Accumulations of manure, refuse, junk or other debris;

**D. *Public nuisances affecting peace and safety.***

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

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

**NOTICE AND ABATEMENT.**

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

F. The notice shall be served in person or by certified or registered mail. If the premises are not occupied and the owner is unknown, the notice may be served by posting it on the premises. The notice shall specify the steps to be taken to abate the nuisance and the time, not exceeding ten (10) days, within which the nuisance is to be abated.

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

**City Code Section 10.14, Subd. 5:**

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

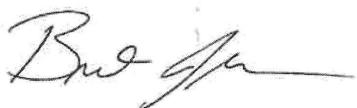
**City Code Section 10.14, Subd. 6:**

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

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

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

Sincerely,



Brent Johnson  
Zoning Inspector



804 1st Ave NW

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](http://www.ci.austin.mn.us)

## Memorandum

**To:** Mayor and City Council

**Cc:** Everardo Gallardo  
808 1<sup>st</sup> Ave NW, Austin, MN 55912

**From:** Holly Wallace, Planning & Zoning Administrator

**Re:** Accumulation of Refuse and Junk  
At 808 1<sup>st</sup> Ave NW, GallardoProperty

**Date:** April 29, 2022

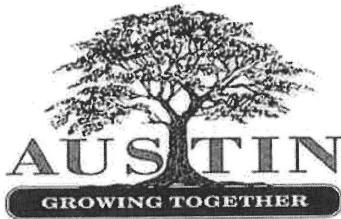
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May I ask the City Council to approve granting the Planning & Zoning Department the power to contract for the removal of refuse and junk at 808 1<sup>st</sup> Ave NW. The property owner has been notified of this violation to the City Code Sections 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](http://www.ci.austin.mn.us)

April 11<sup>th</sup>, 2022

Everardo Gallardo  
808 1<sup>st</sup> Ave NW  
Austin, MN 55912

RE: Zoning Violations at 808 1<sup>st</sup> Ave NW, Austin, MN 55912

Dear Everardo:

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 April 6<sup>th</sup>, 2022 at this site and the following issues need to be resolved:

1. Remove all junk/garbage from property
2. Provide current registration for all vehicles, and must be operable. Remove from property or store in an enclosed structure

The violation of Austin City Code Sections 10.01 Subd 2 & 3, 10.14 Subd.1(B) 4. 10.33 Subd. F & 1(G)& Subd. 2(B-1 & C) and 10.14 Subd.4-6 were found. These City Code sections read as follows:

**City Code Section 10.01 Subd. 2. *Disposal required.*** Every person shall, in a sanitary manner, store and dispose of refuse that may accumulate upon property owned or occupied by him or her in accordance with the terms of this section. Garbage shall be collected or otherwise lawfully disposed of, at least once each week during the year.

**City Code Section 10.01 Subd 3. *Deposit of garbage or refuse. It is unlawful:***

D. For any person to deposit anywhere within the city any refuse in a manner that it may be carried or deposited by the elements upon any public place or any other premises within the city;

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

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

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

B. **Public nuisances affecting health**  
5. Accumulations of manure, refuse, junk or other debris;  
D. **Public nuisances affecting peace and safety.**

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

**City Code Section 10.33 Subd.F**

**TEMPORARY STORAGE.** Temporary storage of an unoccupied recreational travel trailer, vehicles, boats and trailers and the like will be permitted for a seven-month period of time of a given calendar year and within the limitations set forth in this section of side or rear yards of a private residence providing it meets zoning setback requirements.

**City Code Section 10.33 Subd. 1 (G)**

Operable equipment for transportation of people, goods or material and equipment ordinarily used for recreational purposes. Including shall be, by way of example and not limitation, automobiles, trucks, pick-up trucks, trailers, marine crafts, snowmobiles, all terrain vehicles, motor homes, pick-up campers, buses, and camping trailers.

**City Code Section 10.33 Subd. 2. *Off-street outside parking within residential districts.***

B. The number of vehicles permitted for outside parking in rear yard and side yard areas shall be limited as follows:

1. Two currently registered passenger vehicles registered to the licensed owner/occupant of the residence may be parked in the rear or side yard areas.
2. In addition to currently registered passenger vehicles, two recreational vehicles may be temporarily stored in the rear yard. If a recreational vehicle is of a type which is required to be registered, it must be currently registered.

C. Outside parking of vehicles shall not be permitted in any portion of the front yard unless the vehicle is parked on a driveway or on a hard-surfaced parking area directly adjacent to the side of the driveway and vehicles are currently registered. The square footage of the front yard which is devoted to green space shall always be as required by the applicable provisions of the City of Austin Zoning Ordinance.

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

**NOTICE AND ABATEMENT.**

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

F. The notice shall be served in person or by certified or registered mail. If the premises are not occupied and the owner is unknown, the notice may be served by posting it on the premises. The notice shall specify the steps to be taken to abate the nuisance and the time, not exceeding ten (10) days, within which the nuisance is to be abated.

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

**City Code Section 10.14, Subd. 5:**

**RECOVERY OF COST.** The owner of the premises on which a nuisance has been abated by the City shall be personally liable for the cost to the City of the abatement, including administrative costs. As soon as the work has been completed and the cost determined, the City Recorder shall prepare a bill for the cost and mail it to the owner. There upon, the amount shall be immediately due and payable at the Office of the City Recorder. Ownership shall be presumed to be the owner as shown on the records of the County Treasurer unless the City

Recorder has reason to know that such information is not accurate, in which event, notice shall be given to such other person as the City Recorder has reason to believe is, in fact, the true owner of said premises.

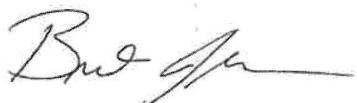
**City Code Section 10.14, Subd. 6:**

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

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

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

Sincerely,



Brent Johnson  
Zoning Inspector

CC: Richard Lager Revocable Trust



TIME STAMP

808 1st Ave NW

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](http://www.ci.austin.mn.us)

## Memorandum

**To:** Mayor and City Council

**Cc:** Abel Rivera  
1605 12<sup>th</sup> St SW, Austin, MN 55912

**From:** Holly Wallace, Planning & Zoning Administrator

**Re:** Illegal Storage of Vehicles  
At 1605 12<sup>th</sup> St SW, Rivera Property

**Date:** April 29, 2022

---

May I ask the City Council to approve granting the Planning & Zoning Department the power to contract for the removal of the vehicles at 1605 12<sup>th</sup> St SW. The property owner has been notified of this violation to the City Code Sections 10.14 Subd.4-6 and 10.33 Subd.1(G) & 2, 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 these vehicles. 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](http://www.ci.austin.mn.us)

March 25<sup>th</sup>, 2022

Abel Rivera  
1605 12<sup>th</sup> St SW  
Austin, MN 55912

RE: Zoning Violations at 1605 12<sup>th</sup> St SW, Austin, MN 55912

Dear Abel:

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 March 25<sup>th</sup>, 2022 at this site and the following issues need to be resolved:

- A. Provide current registration for all vehicles, and must be operable. Remove from property or store in an enclosed structure
- B. Repair or remove fence in rear yard

The violation of Austin City Code Sections 4.70 Subd. 10 & 12, 10.14 Subd. 4-6 and 10.33 were found. These City Code sections read as follows:

**City Code Section 4.70 Subd. 10. *Maintenance; declaration and abatement of nuisance.*** Fences shall be maintained so as not to endanger life or property, and any fence which through lack of repair, type of construction or otherwise imperils the health, life or property or well-being of a neighborhood shall be deemed a nuisance. The Building Inspector shall notify the owner of the property on which a fence is located of the existence of a nuisance and a nuisance must be abated within ten days after the receiving of the notice from the Building Inspector.

**City Code Section 4.70 Subd. 12.**

Fences shall be constructed with boards, chain link construction, or other suitable material firmly connected to posts sunk in the soil to a depth sufficient to properly support the fence so that it is not leaning or otherwise in a state of collapse.

**City Code Section 10.33 Subd.F**

**TEMPORARY STORAGE.** Temporary storage of an unoccupied recreational travel trailer, vehicles, boats and trailers and the like will be permitted for a seven-month period of time of a given calendar year and within the limitations set forth in this section of side or rear yards of a private residence providing it meets zoning setback requirements.

**City Code Section 10.33 Subd. 1 (G)**

Operable equipment for transportation of people, goods or material and equipment ordinarily used for recreational purposes. Including shall be, by way of example and not limitation,

automobiles, trucks, pick-up trucks, trailers, marine crafts, snowmobiles, all terrain vehicles, motor homes, pick-up campers, buses, and camping trailers.

**City Code Section 10.33 Subd. 2. *Off-street outside parking within residential districts.***

- A. Vehicle outside parking shall be accessory to the permitted primary use of the property, and vehicles parked on a property must be owned by a licensed resident of the property except as follows:
  - B. The number of vehicles permitted for outside parking in rear yard and side yard areas shall be limited as follows:
    1. Two currently registered passenger vehicles registered to the licensed owner/occupant of the residence may be parked in the rear or side yard areas.
    2. In addition to currently registered passenger vehicles, two recreational vehicles may be temporarily stored in the rear yard. If a recreational vehicle is of a type which is required to be registered, it must be currently registered.

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

**NOTICE AND ABATEMENT.**

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

F. The notice shall be served in person or by certified or registered mail. If the premises are not occupied and the owner is unknown, the notice may be served by posting it on the premises. The notice shall specify the steps to be taken to abate the nuisance and the time, not exceeding ten (10) days, within which the nuisance is to be abated.

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

**City Code Section 10.14, Subd. 5:**

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

**City Code Section 10.14, Subd. 6:**

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

Please resolve the City Code violations within **10 days** of the date of this letter, or the matter will be referred to the Austin City Council for corrective action. Council generally meets the first and

third Mondays of every month. You will be fined a minimum of \$100, the amount varies depending on the type of violations.

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

Sincerely,



Brent Johnson  
Zoning Inspector

CC: NC REAL ESTATE LLC



1605 12th St SW