

A G E N D A
CITY COUNCIL MEETING
TUESDAY, FEBRUARY 21, 2023
5:30 P.M.
COUNCIL CHAMBERS

Call to Order.

Pledge of Allegiance.

Roll Call.

- (mot) 1. Adoption of Agenda.
- (mot) 2. Approving minutes from February 6, 2023

3. Recognitions and Awards.

- (mot) 4. *Consent Agenda

Licenses:

Edible Cannabinoid: Dragon Smoke Shop, 803 18th Avenue NW, Suite 1
Lodging Establishment: Matira Balsley, 411 1st Street SW
Massage Establishment: Patrick Whalen Massage, 401 North Main Street
Massage Therapist: Patrick Whalen, 401 North Main Street
Right of Way: Jordan Drilling Solutions, LLC, Inver Grove Heights
Right of Way: Lamont Concrete, 56837 180th Street
Tobacco: Dragon Smoke Shop, 803 18th Avenue NW, Suite 1

Claims:

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

Event Applications:

Shamrockin' Run on April 15, 2023
Taste of Nations on May 20, 2023
Kids Fishing Contest on July 1, 2023
Freedom Festival on July 3 & 4, 2023

Appointments to Boards and Commissions:

Frechno Boko to the Parks and Recreation Board – term expiring December 31, 2026
Marsha Podein to the Housing and Redevelopment Authority – term expiring December 31, 2027
Matthew Talmadge to the Culture and Arts Commission – term expiring December 31, 2023
Megan Burroughs to the Planning Commission – term expiring December 31, 2026

PUBLIC HEARINGS:

- 5. Public hearing on street improvements on 5th Avenue NW (20th Street to 22nd Street NW), 6th Avenue NW (22nd Street NW to Dead End) and 20th Street NW (4th Avenue NW to Dead End), Project 18105.

- (res) a. Resolution ordering improvement, approving plans and specifications and ordering advertisement for bids.
- 6. Public hearing on street improvements on 1st Street NW (Oakland Ave W to 1st Drive NW), Project 23101.
- (res) a. Resolution ordering improvement, approving plans and specifications and ordering advertisement for bids.
- 7. Public hearing on street improvements on 2nd Street SW (10th Avenue to 12th Avenue SW), 10th Avenue SW (2nd Drive to 4th Street SW) and 11th Avenue SW (2nd Drive to 4th Street SW), Project 23102.
- (res) a. Resolution ordering improvement, approving plans and specifications and ordering advertisement for bids.
- 8. Public hearing on street improvements on 7th Avenue NE (19th Drive to 21st Street NE) and 19th Drive NE (6th Avenue to 7th Avenue NE), Project 23103.
- (res) a. Resolution ordering improvement, approving plans and specifications and ordering advertisement for bids.
- 9. Public hearing on street improvements on 8th Street NE (16th Avenue to 18th Avenue NE) and lift station construction at 16th Avenue & 8th Street NE, Projects 23104 & 23201.
- (res) a. Resolution ordering improvement, approving plans and specifications and ordering advertisement for bids.
- 10. Public hearing on street improvements on Hormel Drive (4th Street to 8th Street NE), Project 23105.
- (res) a. Resolution ordering improvement, approving plans and specifications and ordering advertisement for bids.
- 11. Public hearing on street improvements on 3rd Avenue SW (20th Street to 21st Street SW), 21st Street SW (22nd Street to 6th Avenue SW) and 22nd Street SW (Oakland Avenue to 3rd Avenue SW), Project 23106.
- (res) a. Resolution ordering improvement, approving plans and specifications and ordering advertisement for bids.

PETITIONS AND REQUESTS:

- (res) 12. Setting public hearings for March 20, 2023 for street improvement project assessments.
- (mot) 13. Dedicating the Michael Ruzek Tree Trek.
- (mot) 14. Adopting a paving assessment policy and a sidewalk assessment policy.
- (mot) 15. Adopting Juneteenth as a 2023 holiday.
- (res) 16. Accepting donations to the City of Austin.
- (mot) 17. Adopting revisions to the travel policy.

- (mot) 18. Approving a \$1,000 funding request for Our Austin, Our America.
- (mot) 19. Approving the reclassifying of the grant funded environmental education outreach coordinator position to a grant funded nature center teacher/aid position effective as of January 1, 2023.
- (res) 20. Approving a gambling premise permit for Austin Youth Hockey, Inc.
- 21. 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. 510 3rd Avenue SE, Lindahl Property.
 - (mot) b. 1008 13th Avenue NE, Dieser Property.

CITIZENS ADDRESSING THE COUNCIL

HONORARY COUNCIL MEMBER COMMENTS

REPORTS AND RECOMMENDATIONS:

City Administrator

City Council

- (mot) Adjourn to **Monday, March 6, 2023** 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
February 6, 2023
5:30 PM
Council Chambers

MEMBERS PRESENT: Mayor King. Council Members Paul Fischer, Laura Helle, Jason Baskin, Michael Postma, Joyce Poshusta, Geoff Baker 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, Planning and Zoning Administrator Holly Wallace, Park and Rec Director Dave Merrill, City Attorney Craig Byram, Library Director Julie Clinefelter, Assistant City Engineer Mitch Wenum and City Clerk Ann Kasel

APPEARING IN PERSON: Austin Daily Herald, KAUS Radio, Terry Petersen, Honorary Council Member George Thomas

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

Consent Agenda Additions

(mot) 4. Licenses:
Massage Therapist: Christine Stiehm, 401 North Main Street
Exempt Gambling: LIFE Mower County on April 19, 2023

Appointment:
Kelsey Ritchie to the Pillars of the City – term expiring December 31, 2023

Moved by Council Member Fischer, seconded by Council Member Poshusta, approving the agenda as amended. Carried.

Moved by Council Member Fischer, seconded by Council Member Baskin, approving Council minutes from January 17, 2023. Carried.

AWARDS AND RECOGNITIONS

Mayor King recognized Terry Petersen on his retirement from the Fire Department and thanked him for his service to the community. Mr. Petersen stated he enjoyed his career with the City.

Mayor King read a proclamation declaring February 11, 2023 as Michael Ruzek Day.

CONSENT AGENDA

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

Licenses:

Exempt Gambling (raffle): Minnesota Deer Farmers Association on March 11, 2023
Food: Windrift Sports Bar & Grill, 2511 11th Street NE
Food: Papa Murphy's Pizza, 402 1st Avenue SW
Food: Pho Kayah Co., 1426 1st Avenue SW # 3
Massage Therapist and Establishment: Daniel Stalkamp and DS Massage
Mobile Business: Chick-fil-A Ear of Corn, 1201 Broadway South, Suite 100, Rochester
Mobile Business: La Borinqua, 205 McArthur Dr, Albert Lea
Temporary Liquor: Austin Area Commission for the Arts on February 17-18, 2023
Temporary Liquor: Austin Area Commission for the Arts on February 25, 2023
Temporary Liquor: Mower County Ag Society on February 24-15, 2023
Temporary Liquor: Mower County Ag Society on August 8-13, 2023
Tobacco: Kush Clouds, 213 North Main Street
Massage Therapist: Christine Stiehm, 401 North Main Street
Exempt Gambling: LIFE Mower County on April 19, 2023

Appointment to Boards and Commissions:

Kelsey Ritchie to the Pillars of the City – term expiring December 31, 2023

Claims:

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

Carried 6-0 with Council Member Helle abstaining.

PETITIONS AND REQUESTS

Moved by Council Member Austin, seconded by Council Member Poshusta, approving the reclassifying of the grant funded environmental education outreach coordinator position to a grant funded nature center teacher/aid position. Carried.

City Clerk Ann Kasel reviewed proposed liquor ordinance changes requesting a modification to the residency requirement for a liquor manager. The proposed change would allow the manager to live within 50 miles of Austin. She also requested updated language for temporary licenses to align with recent changes in State laws.

Moved by Council Member Fischer, seconded by Council Member Postma, for preparation of the liquor ordinance. Carried.

Moved by Council Member-at-Large Austin, seconded by Council Member Fischer, for

adoption and publication of the ordinance. Carried 7-0.

City Clerk Ann Kasel reviewed proposed licensing ordinance changes by requesting the removal of licensing requirements for plumbers, mechanical amusement devices, pool tables and bowling.

Moved by Council Member Fischer, seconded by Council Member Baskin, for preparation of the licensing ordinance. Carried.

Moved by Council Member Baskin, seconded by Council Member Postma, for adoption and publication of the ordinance. Carried 7-0.

Administrative Services Director Tom Dankert requested the Council approve a \$42 million dollar loan with the Minnesota Public Facilities Authority for funding the upcoming waste water treatment plant project. He stated the interest rate is 1.912%.

Moved by Council Member Baker, seconded by Council Member-at-Large Austin, adopting a resolution authorizing a \$42,216,633 general obligation waste water revenue note. Carried 7-0.

City Administrator Craig Clark requested the Council approve a three-year labor agreement with the International Association of Firefighters. The agreement includes a 4% raise for 2023; 3% for 2024; and 3% for 2025; amongst other contract changes.

Moved by Council Member Baker, seconded by Council Member-at-Large Austin, adopting a resolution approving a labor agreement with IAFF for 2023-2025. Carried 7-0.

City Administrator Craig Clark stated the City agreed to implement a plan for the buy-down of both single and family out of pocket maximums as part of the new health insurance programs. He requested the Council approve the buy-down plan.

Moved by Council Member Baskin, seconded by Council Member-at-Large Austin, adopting a resolution adopting a health reimbursement arrangement buy-down plan. Carried 7-0.

City Administrator Craig Clark requested a change to the UAW Waste Water Treatment Plant contract modifying the provision requiring them to contribute 100% of their unused sick leave to their HSCP.

Moved by Council Member Baskin, seconded by Council Member Postma, adopting a resolution approving a HSCP contract addendum for the UAW WWTP. Carried 7-0.

Fire Chief Jim McCoy stated the retirement of Terry Petersen resulted in two openings in the fire department. He requested the Council approve the promotion of Josh Kunze to commander and the hiring of Matt Wyse to fill Josh's fire prevention specialist position.

Moved by Council Member Baker, seconded by Council Member-at-Large Austin,

approving the promotion of Josh Kunze as a commander and hiring of Matt Wyse as fulltime fire prevention specialist in the Fire Department. Carried.

Public Works Director Steven Lang requested the Council approve a \$2,000,000 grant application for the 2027 fiscal year for the reconstruction of 1st Avenue SW from South Main Street to 12th Street SW. The grant would come from the Statewide Transportation Improvement Program and the grants are highly competitive.

Moved by Council Member Baker, seconded by Council Member-at-Large Austin, adopting a resolution approving a grant application for 1st Avenue SW reconstruction. Carried 7-0.

Mayor King read the donors to the 2023 flower program and thanked them for their generosity to the City.

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

City Administrator Craig Clark requested the Council approve \$3,000 from 2023 contingency for new art on the main floor of City Hall.

Moved by Council Member Fischer, seconded by Council Member Helle, approving \$3,000 from 2023 contingency for photos and framing at City Hall. Carried 4-3 with Council Members Baskin, Baker and Council Member-at-Large Austin voting nay.

Moved by Council Member Fischer, seconded by Council Member Baskin, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 2010 11th Avenue NE, Jacobsen property. Carried.

HONORARY COUNCIL MEMBER COMMENTS

Honorary Council Member George Thomas noted he would like to receive more communications and be acknowledged in the roll call.

City Attorney Craig Byram stated the roll call is to document if there is a quorum.

Mayor King stated he would acknowledge that Mr. Thomas is present at the meetings.

REPORTS

Council Member Baskin noted the Accelerate Austin meeting will be held tomorrow.

Council Member Postma stated some of the Council members went to St. Paul recently on legislative action day.

Council Member Helle reported the Culture and Arts Commission is working on diversity training. 4th Avenue Fest will be held on Wednesday, June 14th. There will be another emerald

ash borer meeting on February 15th at 7 p.m. at the YMCA at ACRC. She noted the HRA has funding for daycare forgivable loans for businesses in Mower County.

Moved by Council Member-at-Large Austin, seconded by Council Member Baskin, adjourning the meeting to February 21, 2023. Carried.

Adjourned: 5:58 p.m.

Approved: February 21, 2023

Mayor: _____

City Recorder: _____

Street/Special Event Permit



Permit Type: Street or Special Event

Permit Number: 2023-005

Applicant Information	
Organizer Name	Austin Enhancement Group
Organizer Address	PO Box 3
Organizer City	Austin
Organizer State	MN
Organizer Zipcode	55912
Organizer Phone	507-219-0129
Organizer Email	bliesemark@gmail.com
Alternate Name	Taylor Bliese
Alternate Phone	507-219-1249
Alternate Email	tbliese@gmail.com

Permit Information

Event Title	Freedom Festival		
Event Description	Freedom Festival for 4th of July		
Event Start Date	June 30, 2023	Event Start Date	July 4, 2023
Approximate Number of Participants	5000		
Event Start Time	06:00	Event End Time	23:30
Portion of Street Width Being Used	Full width of 9th Place SW for July 3rd & 4th. Other streets and areas as typical from last year.		
Traffic Control Barricades Needed for Street/Lane Closure?	Yes	Will Traffic Control Barricades be Provided by Applicant or will City Assistance be Requested?	Requested City Help
Food Trucks at Event?	No	Number of Food Trucks	
Food Truck Information	Food Truck 1: , , Food Truck 2: , , Food Truck 3: , , Food Truck 4: , , Food Truck 5: , ,		
Alcoholic Beverages Available	Yes		
Location of Alcohol	Beer Garden(s)		
Licensed Establishment(s) Serving Alcohol	VFW and Gravity Storm		
Types of Alcohol	3.2 beer, Strong Beer		
Live Entertainment	No		
Recorded Entertainment	No		
Date and Time Clean Up will be Accomplished	7/5/2023	Responsible Person(s) for Clean Up	Mark Bliese
Will Event be Advertised?	Yes	Describe Invited People	Residents of Austin
Designated Adult Name	Mark Bliese	Designated Adult Phone	507-219-0129
Designated Adult Address	PO Box 3		
Additional Information			

Engineering Department			
Determination	Approved	Date of Approval	February 1, 2023
		Approved By	Mitch Wenum

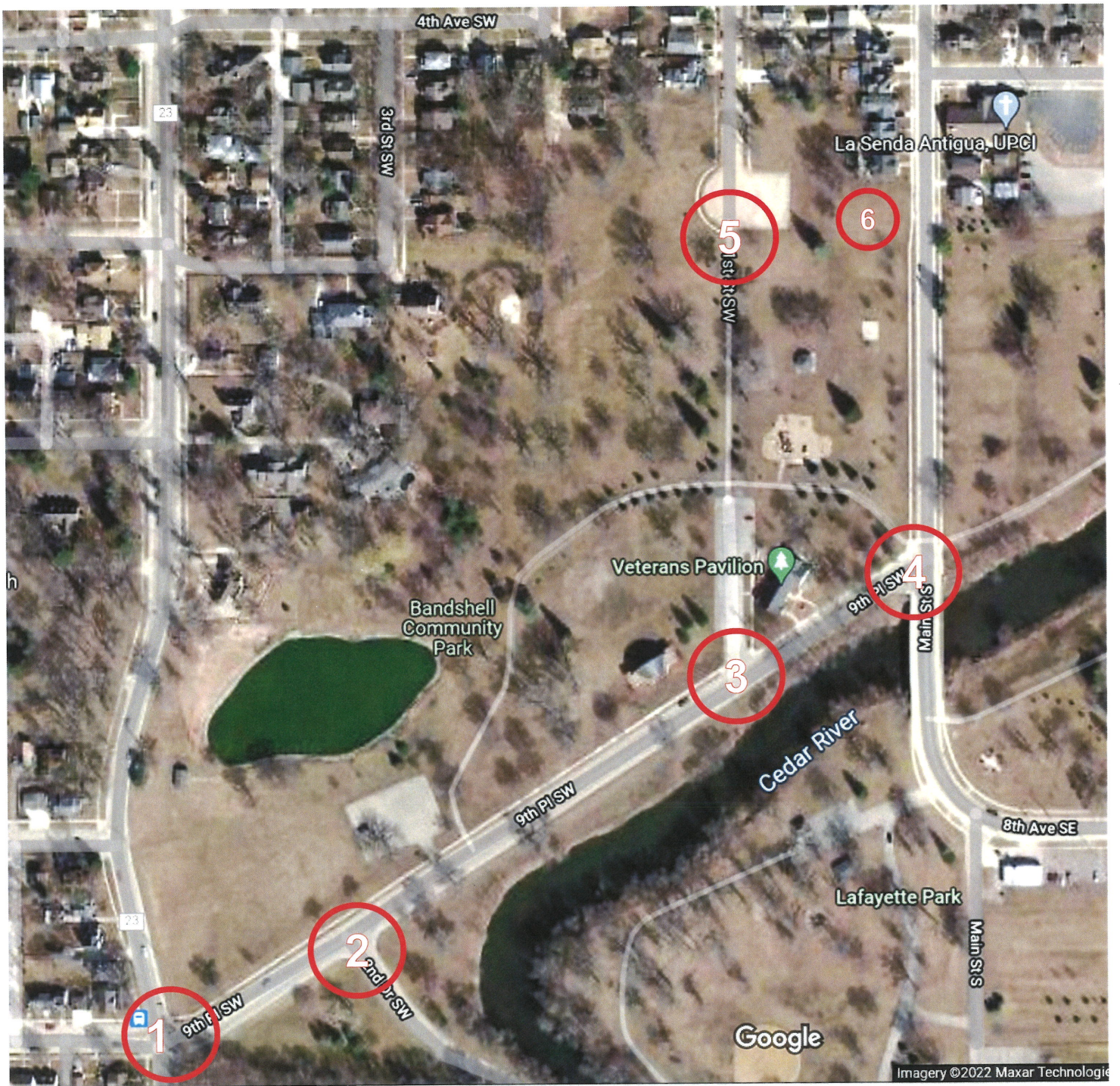
Comments	Approved pending further discussions at planned meetings that are scheduled in February
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Police Department					
Determination	Approved	Date of Approval	February 1, 2023	Approved By	David McKichan
Comments					

City Clerk					
Determination	Approved	Date of Approval	February 1, 2023	Approved By	Ann Kasel
Comments	VFW and Gravity Storm must apply for temporary liquor licenses. All food trucks must be licensed.				

Final Determination	Approved
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Street/Special Event Permit



Permit Type: Street or Special Event

Permit Number: 2023-002

Applicant Information

Organizer Name	Austin Enhancement Group
Organizer Address	PO Box 3
Organizer City	Austin
Organizer State	MN
Organizer Zipcode	55912
Organizer Phone	507-219-0129
Organizer Email	bliesemark@gmail.com
Alternate Name	Benjamin Bunnell
Alternate Phone	507-440-5850
Alternate Email	independence.fishing1776@gmail.com

Permit Information

Event Title	Community Kids Fishing Contest		
Event Description	Kids fishing contest		
Event Start Date	July 1, 2023	Event Start Date	July 1, 2023
Approximate Number of Participants	100		
Event Start Time	08:00	Event End Time	12:00
Portion of Street Width Being Used	Fishing pier, pavillion, bathrooms, parking lot		
Traffic Control Barricades Needed for Street/Lane Closure?	No	Will Traffic Control Barricades be Provided by Applicant or will City Assistance be Requested?	
Food Trucks at Event?	No	Number of Food Trucks	
Food Truck Information	Food Truck 1: , , Food Truck 2: , , Food Truck 3: , , Food Truck 4: , , Food Truck 5: , ,		
Alcoholic Beverages Available	No		
Location of Alcohol			
Licensed Establishment(s) Serving Alcohol			
Types of Alcohol			
Live Entertainment	No		
Recorded Entertainment	No		
Date and Time Clean Up will be Accomplished	7/1/2023	Responsible Person(s) for Clean Up	Mark Bliese
Will Event be Advertised?	Yes	Describe Invited People	City of Austin residents
Designated Adult Name	Mark Bliese	Designated Adult Phone	507-219-0129
Designated Adult Address	PO Box 3		
Additional Information			

Engineering Department

Determination	Approved	Date of Approval	January 31, 2023	Approved By	Mitch Wenum
Comments					

Police Department					
Determination	Approved	Date of Approval	February 1, 2023	Approved By	David McKichan
Comments					

City Clerk					
Determination	Approved	Date of Approval	February 6, 2023	Approved By	Ann Kasel
Comments					

Final Determination	Approved
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Street/Special Event Permit



Permit Type: Street or Special Event

Permit Number: 2023-003

Applicant Information	
Organizer Name	Pacelli Booster Club
Organizer Address	311 4th St NW
Organizer City	Austin
Organizer State	MN
Organizer Zipcode	55912
Organizer Phone	507-4440-9974
Organizer Email	rbickler27@gmail.com
Alternate Name	Kane Malo
Alternate Phone	507-437-3278
Alternate Email	kmalo@pacellischools.org

Permit Information

Event Title	Shanrockin' Run		
Event Description	Road Race		
Event Start Date	April 15, 2023	Event Start Date	April 15, 2023
Approximate Number of Participants	200		
Event Start Time	09:00	Event End Time	12:00
Portion of Street Width Being Used	Sidewalks where possible with crossing guards at main intersections		
Traffic Control Barricades Needed for Street/Lane Closure?	Yes	Will Traffic Control Barricades be Provided by Applicant or will City Assistance be Requested?	Applicant
Food Trucks at Event?	No	Number of Food Trucks	
Food Truck Information	Food Truck 1: , , Food Truck 2: , , Food Truck 3: , , Food Truck 4: , , Food Truck 5: , ,		
Alcoholic Beverages Available	No		
Location of Alcohol			
Licensed Establishment(s) Serving Alcohol			
Types of Alcohol			
Live Entertainment	No		
Recorded Entertainment	No		
Date and Time Clean Up will be Accomplished	4/15/2023	Responsible Person(s) for Clean Up	Ryan Bickler
Will Event be Advertised?	Yes	Describe Invited People	Pacelli parents and Austin residents
Designated Adult Name	Ryan Bickler	Designated Adult Phone	507-440-9974
Designated Adult Address	311 4th St NW		
Additional Information			

Engineering Department			
Determination	Approved	Date of Approval	January 31, 2023
		Approved By	Mitch Wenum

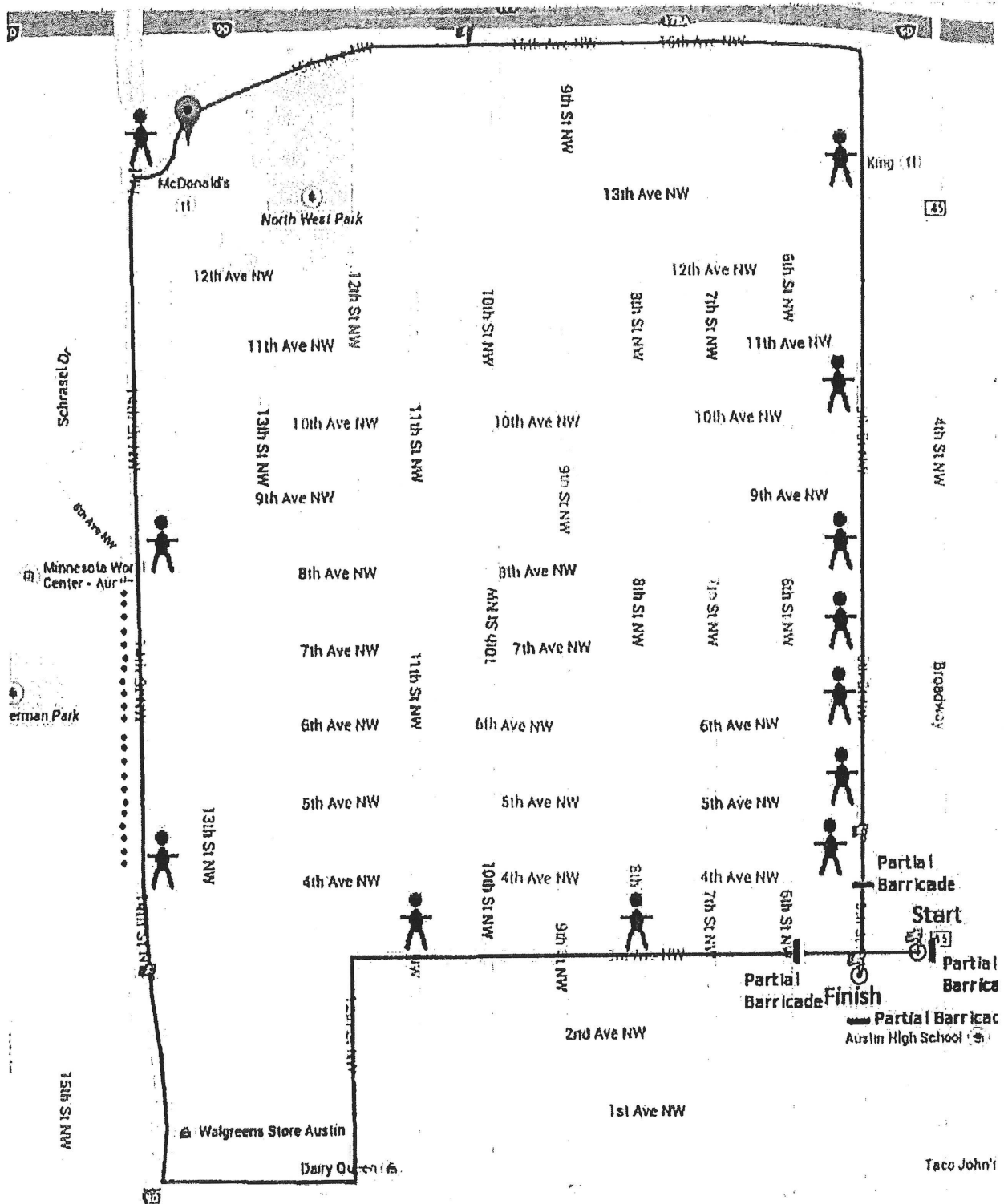
Comments	
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Police Department					
Determination	Approved	Date of Approval	February 1, 2023	Approved By	David McKichan
Comments					

City Clerk					
Determination	Approved	Date of Approval	February 1, 2023	Approved By	Ann Kasel
Comments					

Final Determination	Approved
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Street/Special Event Permit



Permit Type: Street or Special Event

Permit Number: 2023-004

Applicant Information	
Organizer Name	PRC - Welcome Center
Organizer Address	105 1st St SE
Organizer City	Austin
Organizer State	MN
Organizer Zipcode	55912
Organizer Phone	507-219-7779
Organizer Email	welcome.ctr@prc-austinmn.org
Alternate Name	Johana Gonzalez Perez
Alternate Phone	507-434-2863
Alternate Email	development@prc-austinmn.org

Permit Information

Event Title	Taste of Nations		
Event Description	Community Cultural Celebration		
Event Start Date	May 20, 2023	Event Start Date	May 20, 2023
Approximate Number of Participants	2000		
Event Start Time	11:00	Event End Time	15:00
Portion of Street Width Being Used	No streets will be closed off for this event		
Traffic Control Barricades Needed for Street/Lane Closure?	Yes	Will Traffic Control Barricades be Provided by Applicant or will City Assistance be Requested?	Requested City Help
Food Trucks at Event?	No	Number of Food Trucks	
Food Truck Information	Food Truck 1: , , Food Truck 2: , , Food Truck 3: , , Food Truck 4: , , Food Truck 5: , ,		
Alcoholic Beverages Available	No		
Location of Alcohol			
Licensed Establishment(s) Serving Alcohol			
Types of Alcohol			
Live Entertainment	No		
Recorded Entertainment	No		
Date and Time Clean Up will be Accomplished	5/20/2023	Responsible Person(s) for Clean Up	Varinh Van Vugt
Will Event be Advertised?	Yes	Describe Invited People	Austin residents
Designated Adult Name	Varinh Van Vugt	Designated Adult Phone	502-219-7779
Designated Adult Address	105 1st St SE		
Additional Information			

Engineering Department			
Determination	Approved	Date of Approval	January 31, 2023
		Approved By	Mitch Wenum

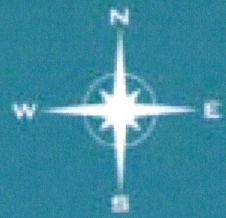
Comments	City to provide barricades in locations as requested
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Police Department					
Determination	Approved	Date of Approval	February 1, 2023	Approved By	David McKichan
Comments					

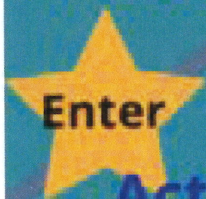
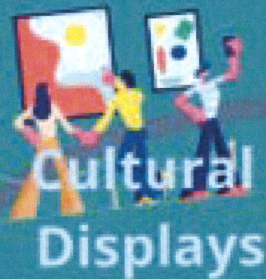
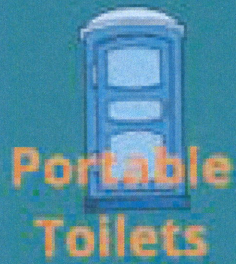
City Clerk					
Determination	Approved	Date of Approval	February 6, 2023	Approved By	Ann Kasel
Comments					

Final Determination	Approved
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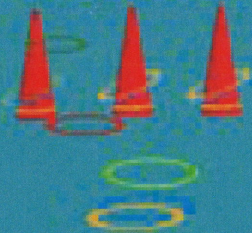
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Playground



Activities



Food
Samples

Bandshell
Community Park



9th Place SW

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



Steven J. Lang, P.E.
City Engineer/P.W. Director
507-437-9950
Fax 507-437-7101
slang@ci.austin.mn.us

Memorandum

To: Mayor & Council
From: Mitch Wenum, PE
Date: February 16, 2023
Subject: 2023 Street Reconstruction Projects

At this week's council meeting we will be holding hearings on the public improvements for the following street projects:

- 5th Avenue NW, 6th Avenue NW & 20th Street NW
- 1st Street NW
- 2nd Street SW, 10th Avenue SW & 11th Avenue SW
- 7th Avenue NE & 19th Drive NE
- 8th Street NE & Institute Lift Station Construction
- Hormel Drive Mill & Overlay
- 3rd Avenue SW, 21st Street SW & 22nd Street SW Mill & Overlay

In years past, in the week prior to the scheduled hearing at the council meeting, we would hold a 30-minute informational meeting for each project. Property owners were notified of the meeting in their assessment notices. Typically, these meetings were poorly attended.

This year in an effort provide more property owners information about their projects, we held a two-hour open house, which would provide people more flexibility to make the meeting. Again, the notices of the open house were included in assessment mailings. Of the 213 properties notified, we had approximately 10 representatives of those properties attend the open house.

The attached information for each project was presented at the open house.

If you have any questions, please feel free to contact me.

5th Avenue NW (20th St NW to 22nd St NW)
6th Avenue NW (22nd St NW to Dead End)
20th Street NW (4th Ave NW to Dead End)

Project Scope

Below is the general order of construction on the project:

- Removal of the existing asphalt pavement
- Remove sections of deteriorated curb and gutter
- Sanitary sewer replacement on 5th Ave and 20th St NW
- Austin Utilities replacement of water main and services
- Roadway excavation
- Installation of drain tile and sump pump service stub outs
- Place new aggregate base in the street
- Remove and replace deficient sidewalk panels
- Extension of sidewalks on 5th Ave and 20th St NW and a connection to 19th St and 6th Ave NW
- Construct pedestrian ramps where sidewalks meet the street
- Replace deteriorated curb and gutter
- Pave new asphalt pavement
- Boulevard restoration



Project Schedule and Phasing

- Bid Project in March

Phase	Start Date	Estimated Completion
Phase 1 – 20 th Street NW	Early July	Late September
Phase 2 – 5 th Ave & 6 th Ave NW	Mid-August	Late October

Project Costs

Category	Funding Source	Estimated Cost
Street Improvements	Assessments, Local Tax Levy	\$650,000
Storm Sewer Improvements	Stormwater Utility Fees	\$10,000
Sanitary Sewer Improvements	Wastewater Treatment Utility Fees	\$240,000
	Total	\$900,000

Project Updates

Once work begins, weekly project updates are posted on the City of Austin construction website.

<https://www.ci.austin.mn.us/public-works/city-construction-projects>

For any other questions please contact:

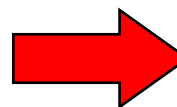
Mitch Wenum, PE

Assistant City Engineer

MitchW@ci.austin.mn.us

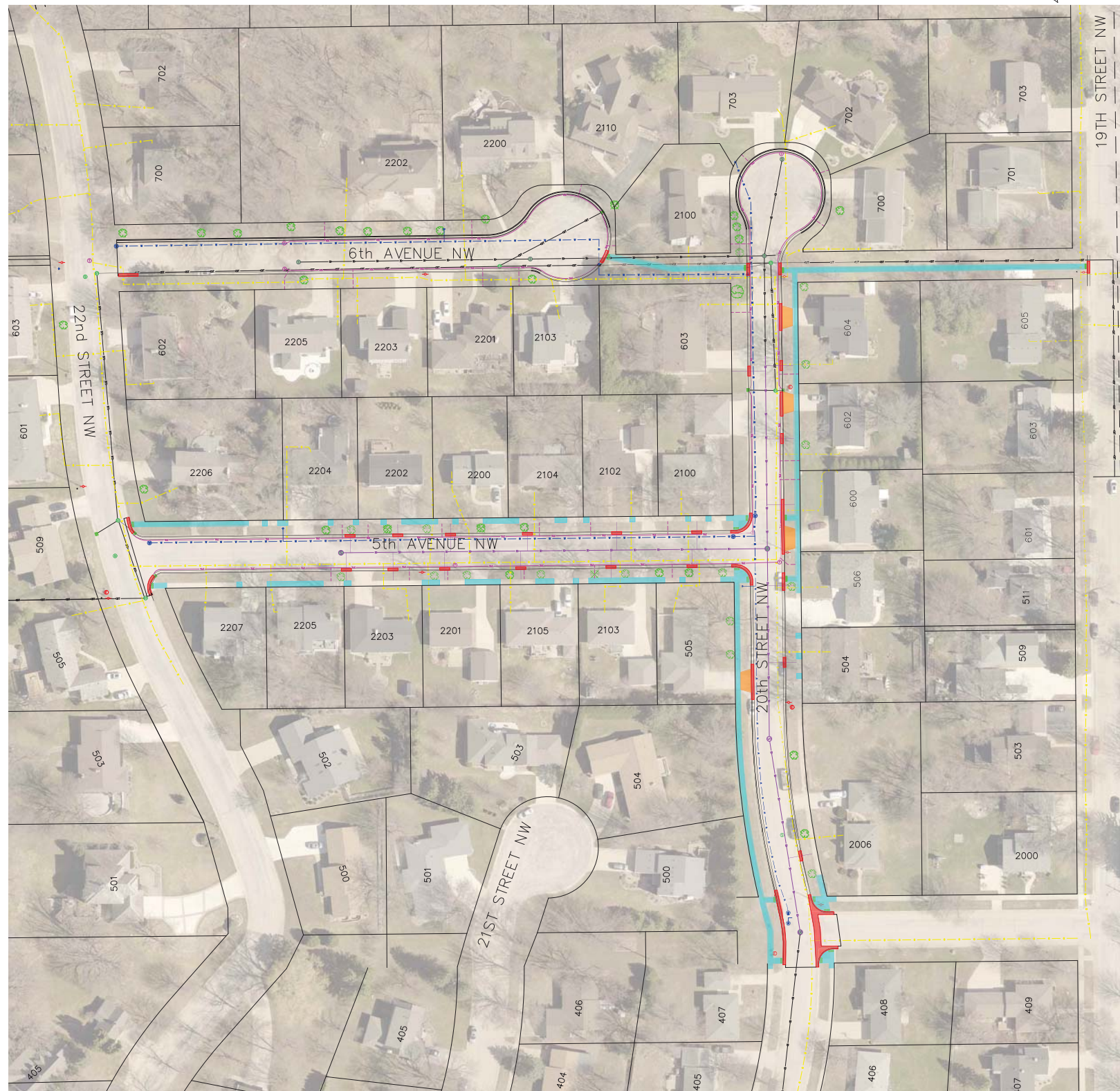
507-437-9950

Scan Here to visit
the City of Austin
construction website



5th Avenue NW 6th Avenue NW 20th Street NW

N





1st Street NW (Oakland Ave W to 1st Drive NW)

Project Scope

Below is the general order of construction on the project:

- Removal of the existing concrete pavement
- Austin Utilities replacement of water main and services
- Sanitary sewer replacement
- Storm sewer replacement
- Austin Utilities electrical vault improvements
- Removal of 4th Ave NW traffic signal, new 4-way stop
- Roadway excavation
- Construct new street lighting
- Place new aggregate base in the street
- Remove and replace sidewalk
- Construct pedestrian ramps where sidewalks meet the street
- Pour new concrete pavement
- Driveway replacement
- Boulevard restoration



Project Schedule and Phasing

- Bid Project in March
- One of these two intersections are planned to be open to traffic during the project: 1st Drive NW or the 4th Avenue NW.

Phase	Start Date	Estimated Completion
Phase 1 – 1 st Dr to 5 th Pl NW	Early May	Late June
Phase 2 – 5 th Pl to 3 rd Ave NW	Late June	Late August
Phase 3 – 3 rd Ave NW to Oakland Ave W	Early August	Late October

Project Costs

Category	Funding Source	Estimated Cost
Street Improvements	Assessments, Local Tax Levy, State Aid	\$1,395,000
Storm Sewer Improvements	Stormwater Utility Fees, State Aid	\$400,000
Sanitary Sewer Improvements	Wastewater Treatment Utility Fees	\$30,000
	Total	\$1,825,000

Project Updates

Letters will be handed out approximately 1 week prior to work starting on each phase. Once work begins, weekly project updates are posted on the City of Austin construction website.

<https://www.ci.austin.mn.us/public-works/city-construction-projects>

For any other questions please contact:

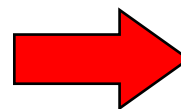
Mitch Wenum, PE

Assistant City Engineer

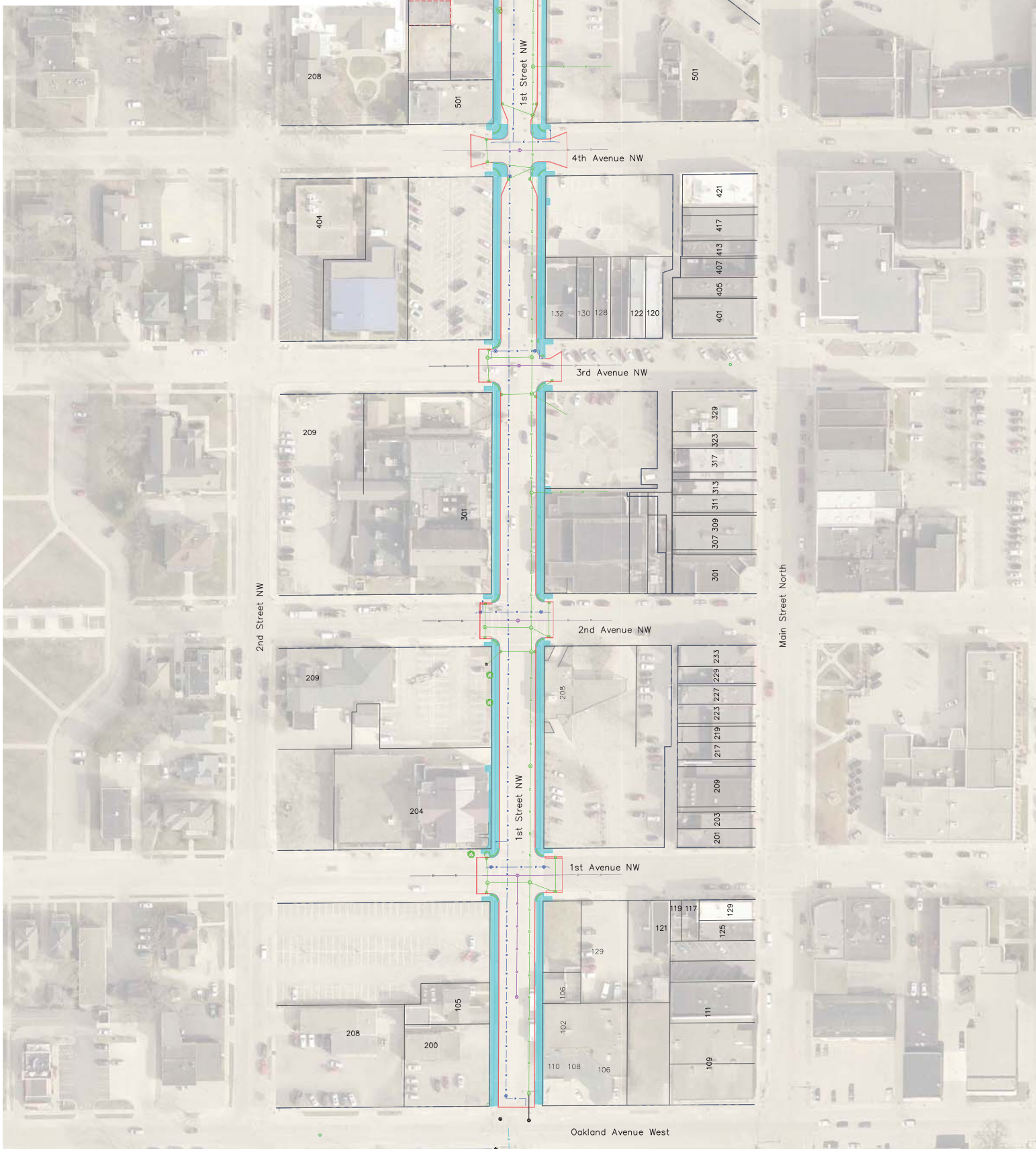
MitchW@ci.austin.mn.us

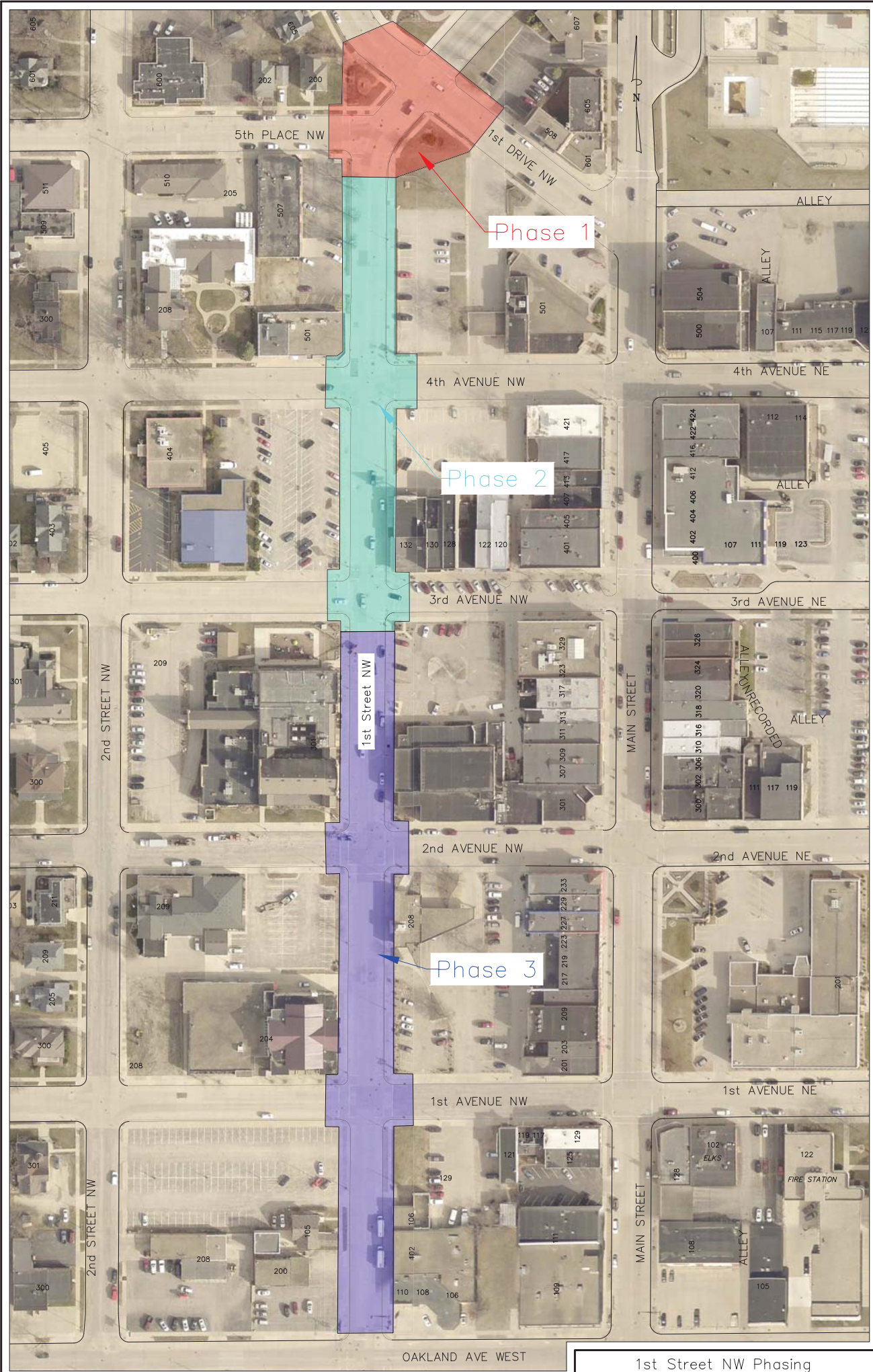
507-437-9950

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1st Street NW





Phase 1

Phase 2

Phase 3

**2nd Street SW (10th Ave to 12th Ave SW)
10th Avenue SW (2nd Dr to 4th St SW)
11th Avenue SW (4th St SW to Dead End)**

Project Scope

Below is the general order of construction on the project:

- Removal of the existing asphalt pavement and curb & gutter
- Austin Utilities replacement of water main and services
- Sanitary sewer spot repairs and manhole replacement
- Storm sewer installation in the 2nd St & 11th Ave intersection
- Roadway excavation
- Installation of drain tile and sump pump service stub outs
- Place new aggregate base in the street
- Remove and replace sidewalk
- Extension of sidewalks on 2nd St, 10th Avenue and a connection from 11th Ave to the 2nd Dr SW trail
- Construct pedestrian ramps where sidewalks meet the street
- Pour new concrete curb and gutter
- Driveway replacement
- Pave new asphalt pavement
- Boulevard restoration

**Project Schedule and Phasing**

- Bid Project in March

Phase	Start Date	Estimated Completion
Phase 1 – 10 th Ave SW & 2 nd St SW between 10 th Ave & 11 th Ave	Early May	End of July
Phase 2 – 11 th Ave & 2 nd St SW between 11 th Ave & 12 th Ave	Early August	Late October

Project Costs

Category	Funding Source	Estimated Cost
Street Improvements	Assessments, Local Tax Levy	\$950,000
Storm Sewer Improvements	Stormwater Utility Fees	\$100,000
Sanitary Sewer Improvements	Wastewater Treatment Utility Fees	\$65,000
	Total	\$1,115,000

Project Updates

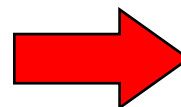
Letters will be handed out approximately 1 week prior to work starting on each phase. Once work begins, weekly project updates are posted on the City of Austin construction website.

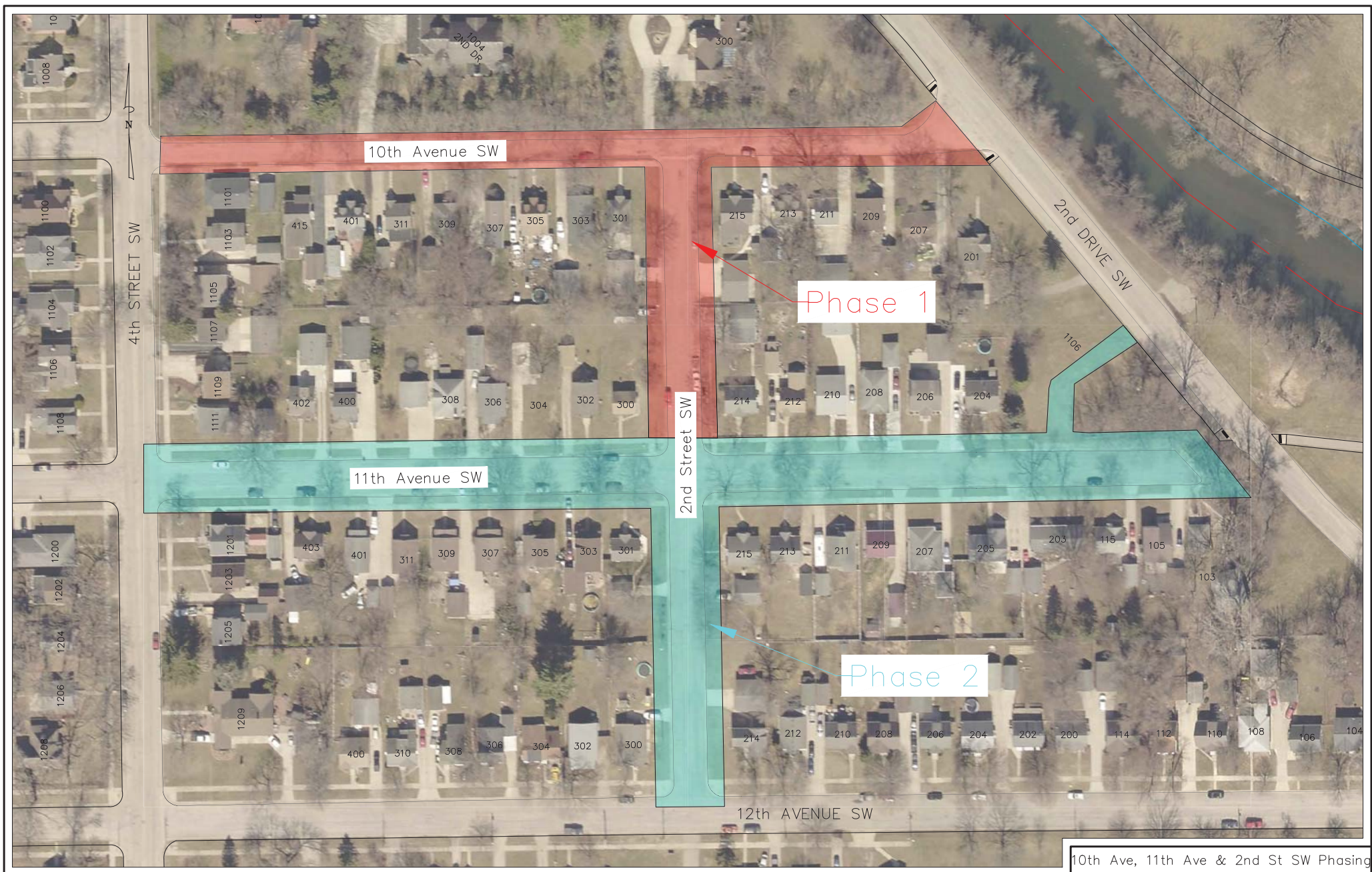
<https://www.ci.austin.mn.us/public-works/city-construction-projects>

For any other questions please contact:

Mitch Wenum, PE
Assistant City Engineer
MitchW@ci.austin.mn.us
507-437-9950

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10th Ave, 11th Ave & 2nd St SW Phasing

**7th Avenue NE (19th Dr NE to 21st St NE)
19th Drive NE (6th Ave NE to 7th Ave NE)**

Project Scope

Below is the general order of construction on the project:

- Removal of the existing asphalt pavement and curb & gutter
- Austin Utilities replacement of water main and services
- Sanitary sewer spot repairs and manhole replacement
- Storm sewer improvements at 19th Dr & 7th Ave
- Roadway excavation
- Installation of drain tile and sump pump service stub outs
- Place new aggregate base in the street
- Remove and replace sidewalk
- Extension of sidewalks on 7th Ave to Highway 218 and on 19th Dr to 6th Ave
- Construct pedestrian ramps where sidewalks meet the street
- Pour new concrete curb and gutter
- Driveway replacement
- Pave new asphalt pavement
- Boulevard restoration



Project Schedule and Phasing

- Bid Project in March

Phase	Start Date	Estimated Completion
Phase 1 – 19 th Dr & 7 th Ave W of 19 th St NE	Early May	Late July
Phase 2 – 7 th Ave from 19 th St to 2021 7 th Ave	Mid-June	Early October
Phase 3 – 7 th Ave from 2021 to Hwy 218	Mid-July	Early October

Project Costs

Category	Funding Source	Estimated Cost
Street Improvements	Assessments, Local Tax Levy, State Aid	\$900,000
Storm Sewer Improvements	Stormwater Utility Fees	\$170,000
Sanitary Sewer Improvements	Wastewater Treatment Utility Fees	\$105,000
	Total	\$1,175,000

Project Updates

Letters will be handed out approximately 1 week prior to work starting on each phase. Once work begins, weekly project updates are posted on the City of Austin construction website.

<https://www.ci.austin.mn.us/public-works/city-construction-projects>

For any other questions please contact:

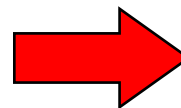
Mitch Wenum, PE

Assistant City Engineer

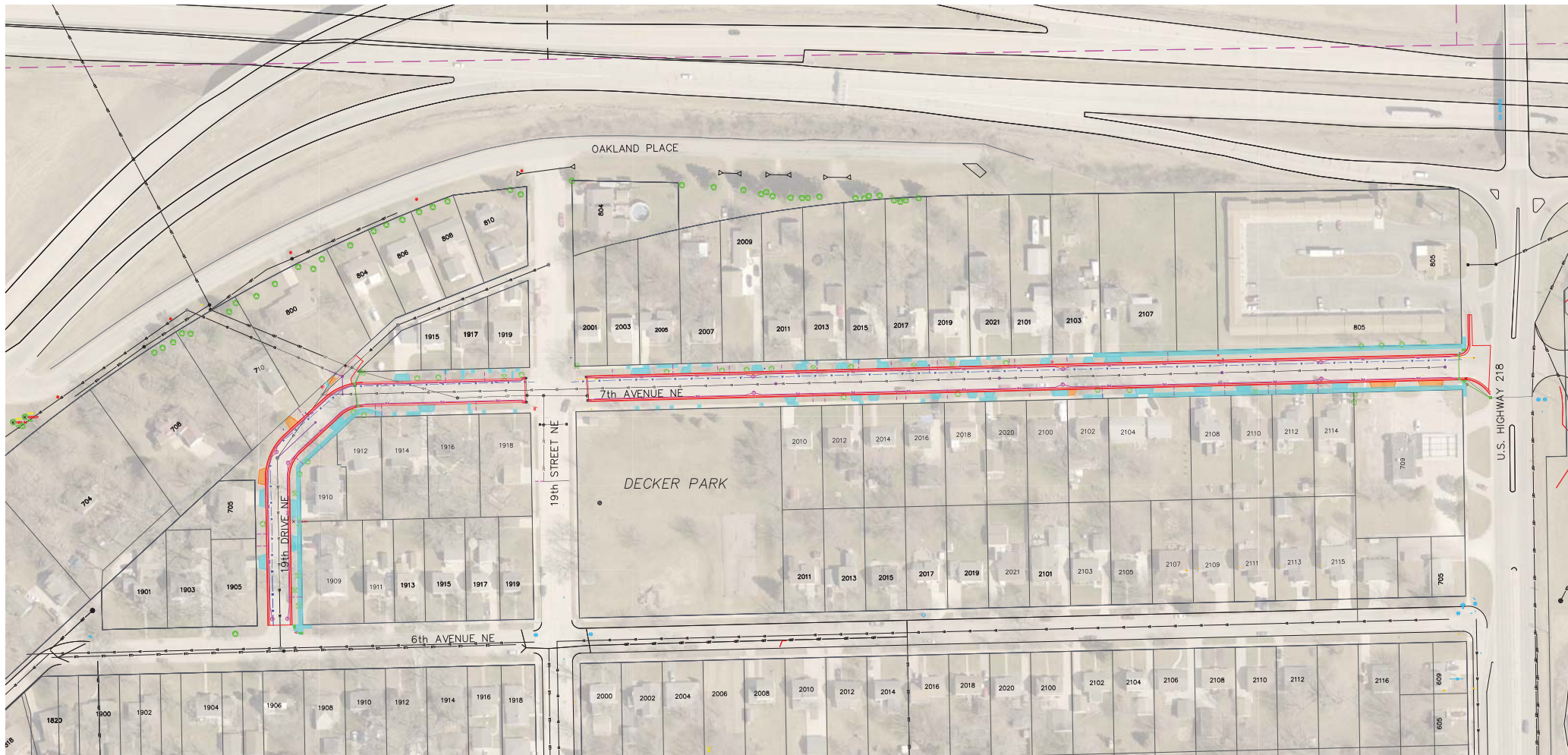
MitchW@ci.austin.mn.us

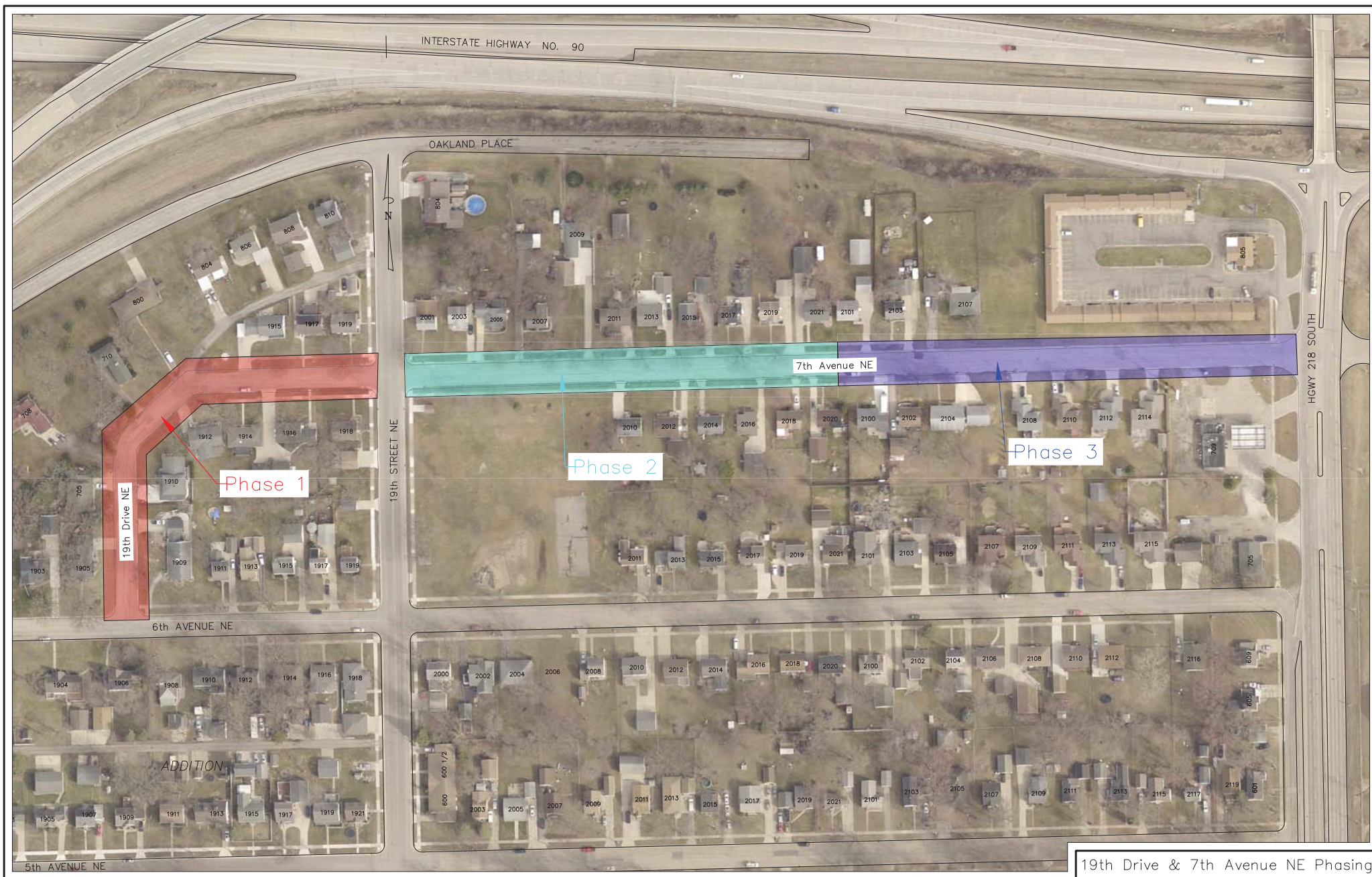
507-437-9950

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PN





19th Drive & 7th Avenue NE Phasing

8th Street NE (15th Ave to 18th Ave NE) Institute Lift Station Construction

Project Scope

Below is the general order of construction on the project:

- Removal of the existing concrete pavement
- Construction of Institute Lift Station
- Directional drilling of new forcemain under I-90 from lift station to 8th St & 10th Ave NE
- Directional drilling of gravity sanitary sewer under I-90
- Construction of sanitary sewer from Institute Lift Station to Weyerhaeuser Lift Station
- Removal of Weyerhaeuser Lift Station
- Austin Utilities replacement of water main and services
- Storm sewer improvements
- Roadway excavation
- Place new aggregate base in the street
- Remove and replace deficient sidewalk
- Construct pedestrian ramps where sidewalks meet the street
- Pour new concrete pavement
- Driveway replacement
- Boulevard restoration



Project Schedule and Phasing

Phase	Start Date	Estimated Completion
Phase 1 – Institute Lift Station Construction	Late 2023	Early 2024
Phase 2 – 8 th Street NE	Summer 2024	Summer 2024

Project Costs

Category	Funding Source	Estimated Cost
Street Improvements	Assessments, Local Tax Levy, State Aid	\$1,150,000
Storm Sewer Improvements	Stormwater Utility Fees, State Aid	\$50,000
Sanitary Sewer Improvements	Wastewater Treatment Utility Fees	\$1,200,000
	Total	\$2,400,000

Project Updates

Letters will be handed out approximately 1 week prior to work starting on each phase. Once work begins, weekly project updates are posted on the City of Austin construction website.

<https://www.ci.austin.mn.us/public-works/city-construction-projects>

For any other questions please contact:

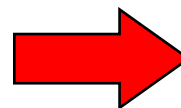
Mitch Wenum, PE

Assistant City Engineer

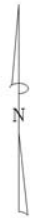
MitchW@ci.austin.mn.us

507-437-9950

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construction website



8th Street NE Institute Lift Station



Hormel Drive (4th St to 8th St NE)

ITEM NO. 10

Project Scope

Below is the general order of construction on the project:

- Full depth asphalt patches where necessary
- Milling off top 3" of asphalt pavement surface
- Paving 4" of new asphalt pavement

Project Schedule

- Bid Project in March

Phase	Start Date	Estimated Completion
Hormel Drive	June or July	Approximately 2 weeks of work

Project Costs

Category	Funding Source	Estimated Cost
Street Improvements	Assessments, Local Tax Levy, State Aid	\$275,000
	Total	\$275,000

Project Updates

Letters will be handed out approximately 1 week prior to work starting on each phase. Once work begins, weekly project updates are posted on the City of Austin construction website.

<https://www.ci.austin.mn.us/public-works/city-construction-projects>

For any other questions please contact:

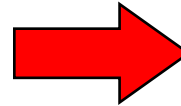
Mitch Wenum, PE

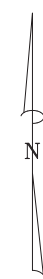
Assistant City Engineer

MitchW@ci.austin.mn.us

507-437-9950

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construction website





Hormel Drive Mill & Overlay

3rd Avenue SW (20th St to 21st St SW)
21st Street SW (22nd St to 6th Ave SW)
22nd Street SW (Oakland Ave W to 3rd Ave SW)

ITEM NO. 11

Project Scope

Below is the general order of construction on the project:

- Milling off top 1.5" of asphalt pavement surface
- Paving 1.5" of new asphalt pavement

Project Schedule

- Bid Project in March

Phase	Start Date	Estimated Completion
3 rd Ave, 21 st St & 22 nd St SW	June or July	Approximately 1 week of work

Project Costs

Category	Funding Source	Estimated Cost
Street Improvements	Assessments, Local Tax Levy	\$230,000
	Total	\$230,000

Project Updates

Letters will be handed out approximately 1 week prior to work starting on each phase. Once work begins, weekly project updates are posted on the City of Austin construction website.

<https://www.ci.austin.mn.us/public-works/city-construction-projects>

For any other questions please contact:

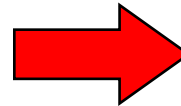
Mitch Wenum, PE

Assistant City Engineer

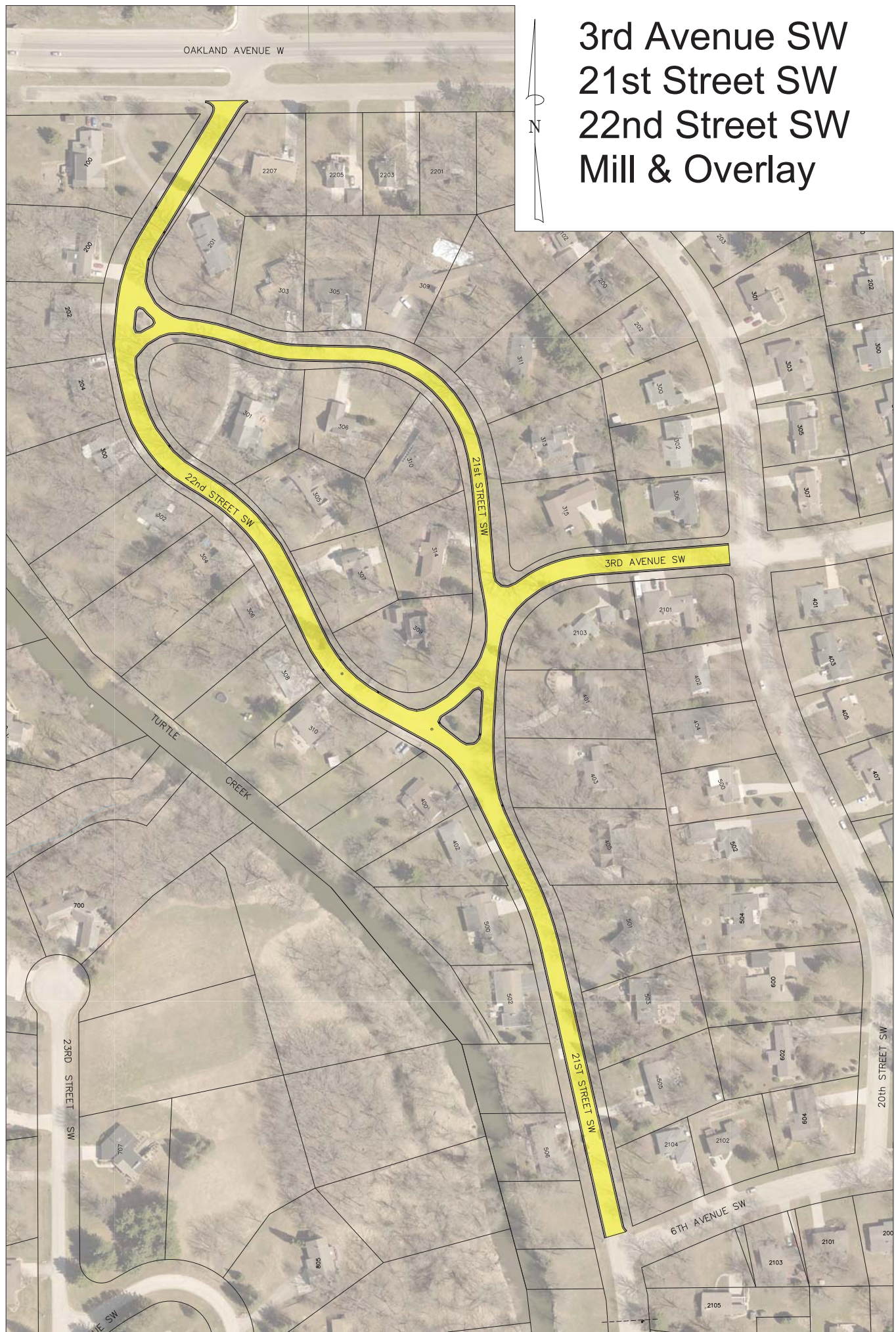
MitchW@ci.austin.mn.us

507-437-9950

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construction website



3rd Avenue SW
21st Street SW
22nd Street SW
Mill & Overlay



RESOLUTION NO.

**RESOLUTION ORDERING IMPROVEMENT,
APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, pursuant to the resolution adopted by the City Council on the 3rd day of January, 2023 and upon duly published notice as required by law, a hearing was held on the 21st day of February, 2023, at which time all persons were given an opportunity to be heard on the making of the following improvement:

- 1) **5th Avenue NW, 6th Avenue NW & 20th Street NW** **18105**
 a. 5th Avenue NW (20th Street to 22nd Street NW)
 b. 6th Avenue NW (22nd Street NW to Dead End)
 c. 20th Street NW (4th Avenue to Dead End)

AND WHEREAS, pursuant to aforesaid resolution, City Engineer Steven Lang has prepared and presented to the City Council the plans and specifications for said improvement.

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

1. The foregoing improvement is hereby ordered to be made as proposed in the resolution adopted by the City Council on the 3rd day of January, 2023.
2. Plans and specifications prepared by City Engineer Steven Lang pursuant to the Council resolution are hereby approved and shall be filed by the City Recorder.
3. The City Recorder shall prepare and cause to be inserted in the official paper of the City of Austin and in the Construction Bulletin advertisement for the bids on the construction of this improvement, together with other projects pursuant to such approved plans and specifications. This advertisement shall be published as required by law, shall specify the work to be done and shall state when bids will be opened and when it will be considered by the City Council. No bids will be considered unless sealed and filed with the City Recorder and accompanied by a bid bond, cashiers check, or certified check payable to the City of Austin for five percent of the amount of such bid.

Approved by a vote of yeas and nays this 21st day of February, 2023.

Yeas

Nays

ATTEST:

APPROVED:

City Recorder

Mayor

RESOLUTION NO.

**RESOLUTION ORDERING IMPROVEMENT,
APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, pursuant to the resolution adopted by the City Council on the 3rd day of January, 2023 and upon duly published notice as required by law, a hearing was held on the 21st day of February, 2023, at which time all persons were given an opportunity to be heard on the making of the following improvement:

1) 1st Street NW

23101

a. 1st Street NW (Oakland Ave West to 1st Drive NW)

AND WHEREAS, pursuant to aforesaid resolution, City Engineer Steven Lang has prepared and presented to the City Council the plans and specifications for said improvement.

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

1. The foregoing improvement is hereby ordered to be made as proposed in the resolution adopted by the City Council on the 3rd day of January, 2023.
2. Plans and specifications prepared by City Engineer Steven Lang pursuant to the Council resolution are hereby approved and shall be filed by the City Recorder.
3. The City Recorder shall prepare and cause to be inserted in the official paper of the City of Austin and in the Construction Bulletin advertisement for the bids on the construction of this improvement, together with other projects pursuant to such approved plans and specifications. This advertisement shall be published as required by law, shall specify the work to be done and shall state when bids will be opened and when it will be considered by the City Council. No bids will be considered unless sealed and filed with the City Recorder and accompanied by a bid bond, cashiers check, or certified check payable to the City of Austin for five percent of the amount of such bid.

Approved by a vote of yeas and nays this 21st day of February, 2023.

Yeas

Nays

ATTEST:

APPROVED:

City Recorder

Mayor

RESOLUTION NO.

**RESOLUTION ORDERING IMPROVEMENT,
APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, pursuant to the resolution adopted by the City Council on the 3rd day of January, 2023 and upon duly published notice as required by law, a hearing was held on the 21st day of February, 2023, at which time all persons were given an opportunity to be heard on the making of the following improvement:

- 1) **2nd Street SW, 10th Avenue SW & 11th Avenue SW** **23102**
- a. 2nd Street SW (10th Avenue to 12th Avenue SW)
 - b. 10th Avenue SW (2nd Drive to 4th Street SW)
 - c. 11th Avenue SW (2nd Drive to 4th Street SW)

AND WHEREAS, pursuant to aforesaid resolution, City Engineer Steven Lang has prepared and presented to the City Council the plans and specifications for said improvement.

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

1. The foregoing improvement is hereby ordered to be made as proposed in the resolution adopted by the City Council on the 3rd day of January, 2023.
2. Plans and specifications prepared by City Engineer Steven Lang pursuant to the Council resolution are hereby approved and shall be filed by the City Recorder.
3. The City Recorder shall prepare and cause to be inserted in the official paper of the City of Austin and in the Construction Bulletin advertisement for the bids on the construction of this improvement, together with other projects pursuant to such approved plans and specifications. This advertisement shall be published as required by law, shall specify the work to be done and shall state when bids will be opened and when it will be considered by the City Council. No bids will be considered unless sealed and filed with the City Recorder and accompanied by a bid bond, cashiers check, or certified check payable to the City of Austin for five percent of the amount of such bid.

Approved by a vote of yeas and nays this 21st day of February, 2023.

Yeas

Nays

ATTEST:

APPROVED:

City Recorder

Mayor

RESOLUTION NO.

**RESOLUTION ORDERING IMPROVEMENT,
APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, pursuant to the resolution adopted by the City Council on the 3rd day of January, 2023 and upon duly published notice as required by law, a hearing was held on the 21st day of February, 2023, at which time all persons were given an opportunity to be heard on the making of the following improvement:

- 1) **7th Avenue NE & 19th Drive NE** **23103**
a. 7th Avenue NE (19th Drive to 21st Street NE)
b. 19th Drive NE (6th Avenue to 7th Avenue NE)

AND WHEREAS, pursuant to aforesaid resolution, City Engineer Steven Lang has prepared and presented to the City Council the plans and specifications for said improvement.

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

1. The foregoing improvement is hereby ordered to be made as proposed in the resolution adopted by the City Council on the 3rd day of January, 2023.
2. Plans and specifications prepared by City Engineer Steven Lang pursuant to the Council resolution are hereby approved and shall be filed by the City Recorder.
3. The City Recorder shall prepare and cause to be inserted in the official paper of the City of Austin and in the Construction Bulletin advertisement for the bids on the construction of this improvement, together with other projects pursuant to such approved plans and specifications. This advertisement shall be published as required by law, shall specify the work to be done and shall state when bids will be opened and when it will be considered by the City Council. No bids will be considered unless sealed and filed with the City Recorder and accompanied by a bid bond, cashiers check, or certified check payable to the City of Austin for five percent of the amount of such bid.

Approved by a vote of yeas and nays this 21st day of February, 2023.

Yeas

Nays

ATTEST:

APPROVED:

City Recorder

Mayor

RESOLUTION NO.

**RESOLUTION ORDERING IMPROVEMENT,
APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, pursuant to the resolution adopted by the City Council on the 3rd day of January, 2023 and upon duly published notice as required by law, a hearing was held on the 21st day of February, 2023, at which time all persons were given an opportunity to be heard on the making of the following improvement:

- 1) **8th Street NE & Lift Station Construction** **23104 & 23201**
a. 8th Street NE (16th Avenue to 18th Avenue NE)
b. Lift Station Construction at 16th Ave and 8th Street NE)

AND WHEREAS, pursuant to aforesaid resolution, City Engineer Steven Lang has prepared and presented to the City Council the plans and specifications for said improvement.

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

1. The foregoing improvement is hereby ordered to be made as proposed in the resolution adopted by the City Council on the 3rd day of January, 2023.
2. Plans and specifications prepared by City Engineer Steven Lang pursuant to the Council resolution are hereby approved and shall be filed by the City Recorder.
3. The City Recorder shall prepare and cause to be inserted in the official paper of the City of Austin and in the Construction Bulletin advertisement for the bids on the construction of this improvement, together with other projects pursuant to such approved plans and specifications. This advertisement shall be published as required by law, shall specify the work to be done and shall state when bids will be opened and when it will be considered by the City Council. No bids will be considered unless sealed and filed with the City Recorder and accompanied by a bid bond, cashiers check, or certified check payable to the City of Austin for five percent of the amount of such bid.

Approved by a vote of yeas and nays this 21st day of February, 2023.

Yeas

Nays

ATTEST:

APPROVED:

City Recorder

Mayor

RESOLUTION NO.

**RESOLUTION ORDERING IMPROVEMENT,
APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, pursuant to the resolution adopted by the City Council on the 3rd day of January, 2023 and upon duly published notice as required by law, a hearing was held on the 21st day of February, 2023, at which time all persons were given an opportunity to be heard on the making of the following improvement:

1) Hormel Drive Mill and Overlay

23105

a. Hormel Drive (4th Street to 8th Street NE)

AND WHEREAS, pursuant to aforesaid resolution, City Engineer Steven Lang has prepared and presented to the City Council the plans and specifications for said improvement.

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

1. The foregoing improvement is hereby ordered to be made as proposed in the resolution adopted by the City Council on the 3rd day of January, 2023.
2. Plans and specifications prepared by City Engineer Steven Lang pursuant to the Council resolution are hereby approved and shall be filed by the City Recorder.
3. The City Recorder shall prepare and cause to be inserted in the official paper of the City of Austin and in the Construction Bulletin advertisement for the bids on the construction of this improvement, together with other projects pursuant to such approved plans and specifications. This advertisement shall be published as required by law, shall specify the work to be done and shall state when bids will be opened and when it will be considered by the City Council. No bids will be considered unless sealed and filed with the City Recorder and accompanied by a bid bond, cashiers check, or certified check payable to the City of Austin for five percent of the amount of such bid.

Approved by a vote of yeas and nays this 21st day of February, 2023.

Yeas

Nays

ATTEST:

APPROVED:

City Recorder

Mayor

RESOLUTION NO.

**RESOLUTION ORDERING IMPROVEMENT,
APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, pursuant to the resolution adopted by the City Council on the 3rd day of January, 2023 and upon duly published notice as required by law, a hearing was held on the 21st day of February, 2023, at which time all persons were given an opportunity to be heard on the making of the following improvement:

- 1) **3rd Avenue SW, 21st Street SW & 22nd Street SW Mill and Overlay 23106**
 - a. 3rd Avenue SW (20th Street to 21st Street SW)
 - b. 21st Street SW (22nd Street to 6th Avenue SW)
 - c. 22nd Street SW (Oakland Avenue West to 3rd Avenue SW)

AND WHEREAS, pursuant to aforesaid resolution, City Engineer Steven Lang has prepared and presented to the City Council the plans and specifications for said improvement.

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

1. The foregoing improvement is hereby ordered to be made as proposed in the resolution adopted by the City Council on the 3rd day of January, 2023.
2. Plans and specifications prepared by City Engineer Steven Lang pursuant to the Council resolution are hereby approved and shall be filed by the City Recorder.
3. The City Recorder shall prepare and cause to be inserted in the official paper of the City of Austin and in the Construction Bulletin advertisement for the bids on the construction of this improvement, together with other projects pursuant to such approved plans and specifications. This advertisement shall be published as required by law, shall specify the work to be done and shall state when bids will be opened and when it will be considered by the City Council. No bids will be considered unless sealed and filed with the City Recorder and accompanied by a bid bond, cashiers check, or certified check payable to the City of Austin for five percent of the amount of such bid.

Approved by a vote of yeas and nays this 21st day of February, 2023.

Yeas

Nays

ATTEST:

APPROVED:

City Recorder

Mayor

RESOLUTION NO.**RESOLUTION SETTING HEARING ON PROPOSED ASSESSMENTS**

WHEREAS, by resolution passed by the council, the city clerk is directed to prepare proposed assessments on the cost of the following projects:

- | | <u>Project #</u> |
|--|--------------------------|
| 1) 5th Avenue NW, 6th Avenue NW & 20th Street NW | 18105 |
| a. 5 th Avenue NW (20 th Street to 22 nd Street NW) | |
| b. 6 th Avenue NW (22 nd Street NW to Dead End) | |
| c. 20 th Street NW (4 th Avenue to Dead End) | |
| 2) 1st Street NW | 23101 |
| a. 1 st Street NW (Oakland Ave West to 1 st Drive NW) | |
| 3) 2nd Street SW, 10th Avenue SW & 11th Avenue SW | 23102 |
| a. 2 nd Street SW (10 th Avenue to 12 th Avenue SW) | |
| b. 10 th Avenue SW (2 nd Drive to 4 th Street SW) | |
| c. 11 th Avenue SW (2 nd Drive to 4 th Street SW) | |
| 4) 7th Avenue NE & 19th Drive NE | 23103 |
| a. 7 th Avenue NE (19 th Drive to 21 st Street NE) | |
| b. 19 th Drive NE (6 th Avenue to 7 th Avenue NE) | |
| 5) 8th Street NE & Lift Station Construction | 23104 & 23201 |
| a. 8 th Street NE (16 th Avenue to 18 th Avenue NE) | |
| b. Lift Station Construction at 16 th Ave and 8 th Street NE) | |
| 6) Hormel Drive Mill and Overlay | 23105 |
| a. Hormel Drive (4 th Street to 8 th Street NE) | |
| 7) 3rd Avenue SW, 21st Street SW & 22nd Street SW Mill and Overlay | 23106 |
| a. 3 rd Avenue SW (20 th Street to 21 st Street SW) | |
| b. 21 st Street SW (22 nd Street to 6 th Avenue SW) | |
| c. 22 nd Street SW (Oakland Avenue West to 3 rd Avenue SW) | |

AND, WHEREAS, the city clerk has notified the council that such proposed assessments have been completed and filed in the office for public inspection.

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

1. A hearing shall be held on the 20th day of March, 2023 in the City Hall Council Chambers at 5:30 pm to pass upon such proposed assessment, and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The city clerk is hereby directed to cause a notice of hearing on proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and shall state in the notice the total cost of the improvement. The city clerk shall cause mail notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.

3. The owner of any property so assessed may pay his or her assessment at any time prior to certification of the assessment on such property without interest if the entire assessment is paid no later than October 31. He or she may at any time thereafter pay to the city the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made.

Passed by a vote of yeas and nays this 21st day of February, 2023.

YEAS

NAYS

ATTEST:

APPROVED:

City Recorder

Mayor

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



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

Memorandum

To: Mayor & Council
From: Steven J. Lang, P.E.
Cc: Mitch Wenum, P.E.
Date: February 13, 2023
Subject: 2023 Assessment Policy Review

Each year we review the assessment policy to ensure that it covers all of the unique situations that exist with private lots throughout the City. Attached for your consideration are the follow policy documents:

- **Complete Streets Policy**
- **Paving Assessment Policy**
- **Sidewalk Assessment Policy**

Complete Streets Policy

The complete streets policy was developed to ensure that our public rights-of-way were being managed in a manner that serves all uses, such as, pedestrians bicyclist, transit riders and vehicle motorists. The policy provides general guidance to ensure that all elements of a construction project are include for a corridor that serves multiple users.

- 1) Accommodate all users (multi-modal)
- 2) Lighting and safety
- 3) Look to the future when reconstruction existing roadways
- 4) Planning for future expansion and how to accommodate multi-modal needs
- 5) Phased approach
- 6) Accommodate stormwater regulations
- 7) Coordinate with Park & Rec on street trees

Paving Assessment Policy

The paving assessment policy covers all the unique circumstances that are encountered with different private lots configurations.

- 1) Roadway life expectancy, 35-years
- 2) Commercial property 2023 rate, \$85.84 per foot of property frontage
 - a. Commercial roadways are typically built with thicker and wider to handle the heavier traffic volumes and commercial vehicle loads, typically a 10-ton roadway design

- b. Assessment rate is based on $\frac{1}{4}$ of the cost to one side, $\frac{1}{4}$ of the cost to other side and the center $\frac{1}{2}$ covered by City tax levy.
 - c. The corner lot policy does not apply to commercial property.
- 3) Residential property 2023 rate, \$60.11 per foot of property frontage
 - a. Our typical residential design is 36-feet in width, allowing for parking on both sides and is considered a 7-ton thickness design.
 - b. Assessment rate is based on $\frac{1}{4}$ of the cost to one side, $\frac{1}{4}$ of the cost to other side and the center $\frac{1}{2}$ covered by City tax levy.
- 4) Corner lots are charged the average of the two-sides.
- 5) Schools & Churches will often fall along a commercial roadway, but they are only charged the residential rate of \$60.11 per foot of property frontage.
 - a. The corner lot policy does not apply to schools & churches.
- 6) Austin Utilities properties will be treated like schools & churches, where they will receive the residential rate, but no corner lot policy.
- 7) Other assessment criteria include; apartments, frontage roads/service drives, interior lots/double frontage, curb & gutter, sidewalk, assessment period and annexation areas.

Residential Corner Lot



Church



Commercial



Sidewalk Assessment Policy

The sidewalk assessment policy is a new form to accurately document procedures that have been used to address deficient sidewalk. The new policy helps to address the following:

- 1) Individual panels within a replacement segment.
- 2) Complete sidewalk replacement within a neighborhood project.
- 3) Complete sidewalk replacement in a commercial/downtown area to meet ADA requirements.

Full Sidewalk Replacement



If you have any questions about these policy documents, please feel free to contact me.

Paving Assessment Policy

Roadway Life Expectancy

A new fully reconstructed roadway completed under the direction of the City Engineer, is expected to last a minimum of 35 years. If the roadway is reconstructed prior to the 35 year life, adjacent property owners will receive a 1/35th reduction to the assessment rate for every year short of 35 (example; if a roadway is reconstructed 32 years after the previous reconstruction project, the assessment rate would be reduced by 3/35ths). A resurfacing project will have a life expectancy of 7 years and the same credit would apply accordingly.

Commercial Property

Commercially used property will be assessed based on a set rate adopted by the City Council at the first part of each year. The basis of the amount is the cost to reconstruct the street divided by four. One side pays $\frac{1}{4}$, the other side pays $\frac{1}{4}$, and the City pays the remaining $\frac{1}{2}$. If there is no existing curb and curb is installed, the property will be charged additional for curb at the designated rate.

In the case of a commercial corner lot that the owner maintains a residence, the assessment will be split accordingly:

The above-described situation will have the property owner paying a commercial assessment rate for the average length of the two sides and paying a residential rate for the remaining length. The commercial assessment rate will be the first rate applied if the two phases are done in different years.

Residential Property

Residential property will be assessed based on a set rate adopted by the City Council at the first part of each year. The basis of the amount is the cost to reconstruct the street divided by four. One side pays $\frac{1}{4}$, the other side pays $\frac{1}{4}$, and the City pays the remaining $\frac{1}{2}$. If there is no existing curb and curb is installed, the property will be charged additional for curb at the designated rate.

Schools & Churches

Property owned by the school district and churches shall be assessed at the residential rate, but do not receive the corner lot exemption.

Austin Utilities Property

Property owned by Austin Utilities shall be assessed at the residential rate, but do not receive the corner lot exemption.

Apartments

Property having a multiple dwelling use shall be assessed at the residential rate.

- 1) If owner maintains a residence in the building, it will receive the corner lot policy.

- 2) If owner does not live at residence, it will not receive the corner lot exemption.

Frontage Roads/Service Drives

Where a street and a frontage road/service drive exists, the property abutting the frontage road/service drive will only be assessed for improvements to the frontage road/service drive. They will not be assessed for improvements to the street.

Corner Lot

Corner lots will not be assessed for any more than the average length of both sides. The first side assessed against the property will continue to govern for future assessments. The corner lot policy only applies to residential parcels.

Interior Lot – Double Frontage

Interior lots which abut two parallel streets, the frontage shall be calculated on only one side of the lot, using the average of each end. The first side assessed against the property will continue to govern for future assessments. The interior lot policy only applies to residential parcels.

Curb & Gutter

A property will only be assessed for curb & gutter on the first initial installation. Corner lots will be assessed for curb & gutter using the corner lot policy.

Sidewalk

Property owners will be assessed for sidewalk repair or replacement for all panels adjacent to their property frontage. Owners will be assessed based on set assessment rates or actual construction costs. (refer to Sidewalk Assessment Policy)

Assessment Period

The assessment will be spread over a maximum 15-year period. The Council will set the interest rate on the unpaid balance at the time of the assessment hearing. The rate will be 2% above the rate of borrowing.

Annexations

When the City annexes a subdivision into the City, whether the subdivision be partially or totally improved, the assessments will be for total costs of the improvements, such as, the sanitary sewer, the water, and the street improvements to the abutting properties. Credit will be given for curb or curb & gutter or any street surfacing on place at the time of the annexation.

Sidewalk Assessment Policy on Street Projects

The engineering department will perform a sidewalk survey prior to the project to determine compliance with ADA requirements. Sidewalk panels that do not meet ADA requirements will be surveyed as non-compliant and identified for replacement.

Listed below are criteria used determine ADA non-compliance, additional criteria may be determined by the City Engineer on a case-by-case basis;

- Vertical edges greater than ¼” in height
- Cracked sidewalk
- Sidewalk displaced by tree roots
- Surface deterioration
- Gaps between sidewalk panels
- Cross slope greater than 2%
- Improper drainage and icing
- Settlement from underground utilities or poor compaction

Sidewalks Between Deficient Sidewalk Panels

After determining all deficient sidewalk on a particular project, the sidewalk will be reviewed for continuity in sidewalk replacement. If there are 2 or fewer sidewalk panels (approximately 10-12') remaining between deficient sidewalk panels, the sidewalk between the deficient panels shall be scheduled for replacement. This is done to preserve sidewalk integrity, strength, uniformity, and ADA compliance.

Complete Sidewalk Replacement (Residential)

After evaluating the existing sidewalk on a project, the City Engineer may determine that all sidewalk on a project shall be replaced. At least one of the following criteria must be met to replace all sidewalk on a project:

- The length of deficient sidewalk is greater than 50% of the existing sidewalk length.
- The length of deficient sidewalk plus sidewalk between deficient sidewalk is greater than 60% of the existing sidewalk length.

Complete Sidewalk Replacement (Commercial/Downtown)

On a commercial/downtown project it is generally determined that all sidewalk will be removed as part of the street reconstruction project. Full sidewalk removal is generally required in this environment in order to meet ADA required cross slopes, building door thresholds, curb heights and street grades for proper drainage.

Boulevard Sidewalk

Adjacent property owners will not be assessed for boulevard sidewalk in the downtown area. Payment for boulevard sidewalk will be handled on a case-by-case basis outside of the downtown area.

Engineering Judgement

The City Engineer has the authority to deviate from the above policy, based on engineering judgement such as, if the sidewalk between deficient sidewalk panels is determined to be structurally sound, ADA compliant, and clearly more recently constructed than the surrounding deficient sidewalk panels.

Assessment of Sidewalk Replacement Costs

Property owners will be assessed for sidewalk repair or replacement for all panels adjacent to their property frontage that are deemed in need of replacement based on the criteria above. Owners will be assessed based on set assessment rates or actual construction costs.

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



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

MEMORANDUM

TO: Mayor & City Council

FROM: Tricia Wiechmann
Human Resources Director

RE: Juneteenth Holiday

DATE: February 15, 2023

On Friday, February 3, 2023, Juneteenth was signed into law in Minnesota becoming a recognized state holiday and required for local governments to follow. However; even though it was signed into law this year, it will not become effective until August 1, 2023. Therefore, that meant the first official Juneteenth holiday in Minnesota would be June 19, 2024.

But, as discussed at the February 6, 2023 work session; the City Council wishes to adopt and incorporate the Juneteenth holiday beginning in 2023. Upon approval, Juneteenth will be added to the official list of recognized holidays, going from eleven paid holidays to twelve paid holidays. The City's handbook will be updated, which will then allow for the City of Austin employees, who are not covered by any labor agreement, to utilize this as a paid holiday.

Additionally, by this action, the City hereby agrees to recognize the Juneteenth holiday for all previously approved 2023 – 2025 labor agreements; which include reference to the Juneteenth holiday, for the Juneteenth holiday to be implemented in 2023, instead of 2024.

Please feel free to contact me prior to the meeting if you have any questions. Thank you.

RESOLUTION NO.

ACCEPTING DONATIONS TO THE CITY OF AUSTIN

WHEREAS, the City has received gift as follows:

Gift	Donor	For
\$300	Disc Golf Club	Disc Golf Improvements
\$53,000	Friends of the Nature Center	Trail Vehicle at the Nature Center
\$50	Steve and Shelley King	2023 Flowers
\$50	Bonnie Mogen	2023 Flowers
\$50	Jane McFarland	2023 Flowers
\$250	Thomas and Sharon Marshall	2023 Flowers

NOW THEREFORE, BE IT RESOLVED that the Austin City Council accepts said gifts to the City of Austin.

Passed by a vote of yeas and nays this 21st day of February, 2023.

YEAS

NAYS

ATTEST:

APPROVED:

 City Recorder

 Mayor

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



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

MEMORANDUM

TO: Mayor & City Council

FROM: Tricia Wiechmann
Human Resources Director

RE: Updates to Portions of the Travel Policy

DATE: February 15, 2023

At the request of city departments, we have reviewed the city's current meal reimbursement amounts as part of the city's travel policy and determined Austin is on the low end for reimbursement levels; the amounts also haven't been increased since we added the specific dollar amounts, in 2012. In reviewing our amounts against other governmental entities, we are recommending the following adjustments, effective March 1, 2023, if approved.

- Breakfast ~~\$10.00~~ – **\$13.00**
- Lunch ~~\$12.00~~ – **\$18.00**
- Dinner ~~\$18.00~~ – **\$30.00**

In looking at 2022, meal reimbursement wasn't a large portion of department's travel/conference budget line item, and make up only approximately \$1,300 for the year. However, for those employees who attend training, which requires a meal away from home, reimbursement at the proposed higher rates, is more in line with the cost of meals. At this time, we are not recommending any increased amounts for 'high end' travel areas, but, if necessary, these can be reviewed on a case-by-case basis by the City Administrator.

Additionally, it has been suggested that the requirement for mileage in excess of 125 miles for an overnight stay, for an event that begins prior to 9:00 AM the following day, be reduced to 75 miles, consistent with the City's general over night stay requirement. The recommended changes are outlined below; this would also become effective March 1, 2023, if approved.

Charges for lodging will be paid for:

- The nights a conference, seminar, meeting, etc., is actually in session; and exceeds a seventy-five (75) mile radius (multiple day conference).
- The night prior to the event providing the starting time is before 9:00 AM and required travel time exceeds ~~125 miles~~. **Seventy-five (75) miles**.
- Weather emergencies

Please feel free to contact me prior to the meeting if you have any questions. Thank you.

City of Austin
500 Fourth Avenue N.E.
Austin, Minnesota 55912-3773
www.ci.austin.mn.us



Craig D. Clark, MPA
City Administrator
507-437-9941
craigc@ci.austin.mn.us

MEMO

To: Honorable Mayor and City Council Members

From: Craig D. Clark
City Administrator

Date: February 15, 2023

Subject: Our Austin, Our America Project

You will find a request from Bonnie Rietz regarding the Our Austin, Our America project.
(Exhibit 1)

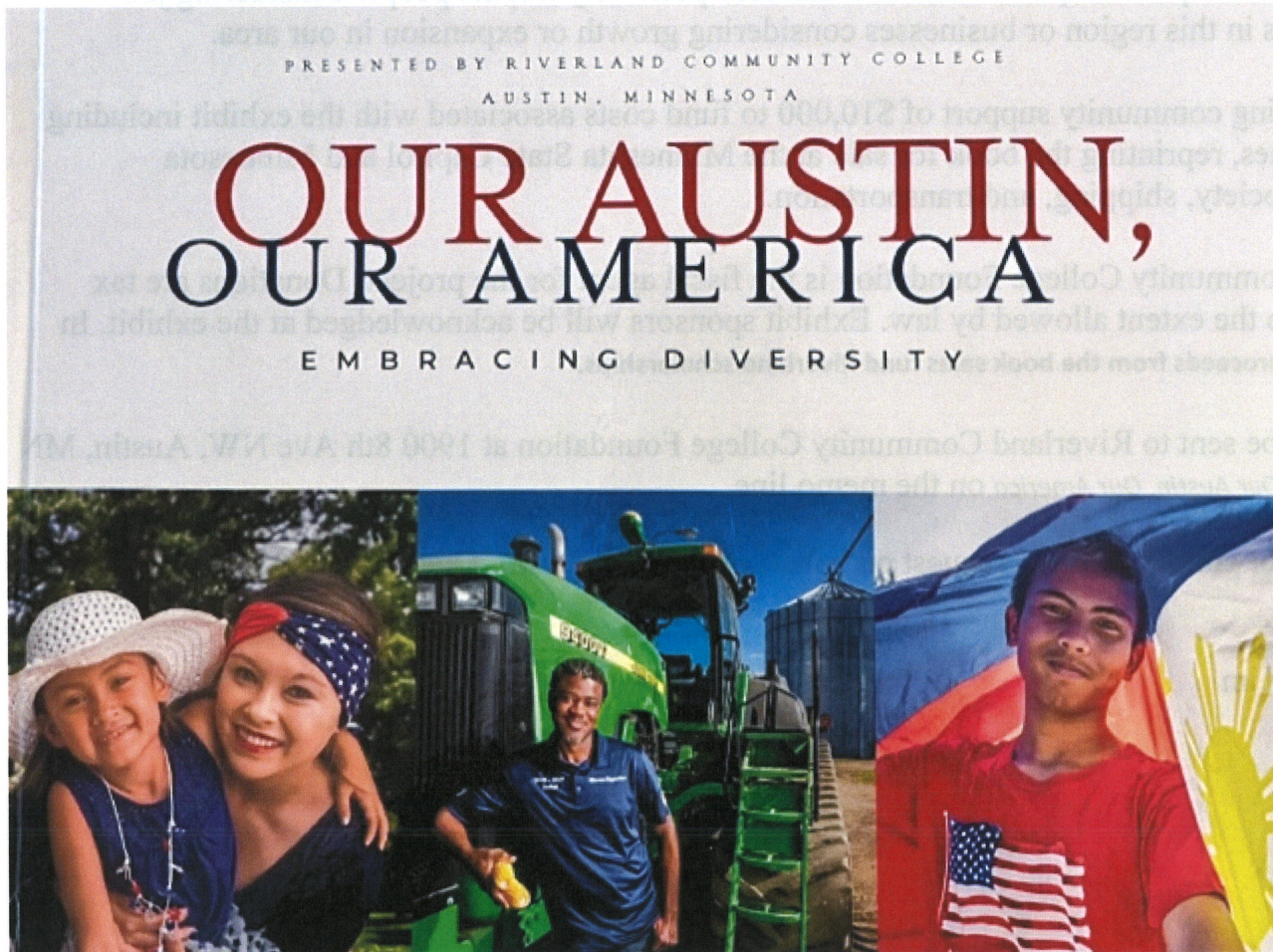
The portrait exhibit and book will be featured at the Minnesota State Capitol Gallery in St. Paul from March 13 thru June 30, 2023.

They are trying to promote Austin's efforts to become a welcoming and inclusive community. This exhibit will help bring great exposure to the City of Austin.

They ask for our participation and request that the City donate \$1,000 to the effort.

Craig Clark

From: Bonnie Rietz <bonnie_rietz@hotmail.com>
Sent: Sunday, February 12, 2023 7:12 AM
To: Craig Clark
Subject: Our Austin, Our America



Hi, Craig.

Hope that you are enjoying this beautiful weather! Do you think that the City of Austin would be interested in helping with this?

We are reaching out to you with an exciting opportunity to highlight Austin's commitment to welcoming our diverse population this spring at the State Capitol.

The *Our Austin, Our America* project shows how our community has come together to welcome newcomers. The stunning portraits have been displayed at many local events along with the beautiful companion book which includes the portraits and inspiring stories of our immigrant and refugee neighbors.

Now we have an extraordinary opportunity for the portrait exhibit and book to be featured in the **Minnesota State Capitol Gallery in St. Paul March 13 – June 30, 2023**. The project was selected by the Minnesota Historical Society to be the first in a series of exhibits featuring immigrants in Minnesota.

We are excited to reach a much broader audience and to promote Austin's intentional efforts to become a welcoming and inclusive community! Our amazing photographer and originator of the project, Bill Taufic, wants Austin to be a role model for other communities. Not only will this great exposure help accomplish that, but it can also positively impact people considering job opportunities in this region or businesses considering growth or expansion in our area.

We are seeking community support of \$10,000 to fund costs associated with the exhibit including portrait frames, reprinting the book for sale at the Minnesota State Capitol and Minnesota Historical Society, shipping, and transportation.

Riverland Community College Foundation is the fiscal agent for the project. Donations are tax deductible to the extent allowed by law. Exhibit sponsors will be acknowledged at the exhibit. In addition, **all proceeds from the book sales fund Riverland scholarships.**

Checks can be sent to Riverland Community College Foundation at 1900 8th Ave NW, Austin, MN 55912 with *Our Austin, Our America* on the memo line.

Thank you for considering our request on behalf of the *Our Austin, Our America* Steering Committee.

Bonnie and Tim



PARKS, RECREATION, FORESTRY DEPARTMENT & ARENAS

500 4TH Avenue NE Austin, Minnesota 55912

507-433-1881

Dave Merrill, Director

www.ci.austin.mn.us

MEMORANDUM

TO: Austin City Council
Mayor Steve King

FROM: Dave Merrill
Luke Reese, Director of the Hormel Nature Center
Tim Ruzek, President of the Friends of the Hormel Nature Center
Helen Jahr, Chairperson of the Parks, Recreation and Forestry Board

DATE: February 15, 2023

RE: Amendment to the motion on the reclassification of the Nature Center Aide Position

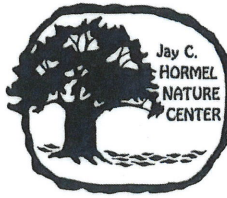
In our previous request for the change in classification for this position we neglected to identify the effective date of this change. We request this change in classification take effect retroactively on January 1, 2023.

This date reflects the inclusion of this position into the Austin Employees Association. More importantly this date aligns with the budgeting structure of the LCCMR Grant. Please see the two additional memos attached as examples of the funding timelines and the support from the two funding sources for this position.

The process of changing this classification began in November 2022. We believe January 1, 2023 is the most appropriate date for this change to take effect.

Thank you for your consideration.

Jay C. Hormel Nature Center
1304 21st St NE
Austin, MN 55912



www.hormelnaturecenter.org
(507) 437-7519

Memorandum

TO: Craig Clark

CC: Dave Merrill

RE: LCCMR grant funded position classification

DATE: December 15, 2022

Mr. Clark:

I would like to revisit this position and then hopefully put it to bed. I support Mr. Merrill's position that we change the title of the Environmental Education Outreach Coordinator position to Nature Center Teacher/Aid. Mr. Merrill's November 22 memo focused on the operations rationale for making that change. This memo will focus on the grant implications.

The grant has two financial commitments:

- State of MN: \$225,000
- Friends of the Hormel Nature Center: \$54,738
- Total: \$279,738

We are half-way through the 3-year grant. In the first year, we saved money because it didn't start on July 1 and the intern opted out of health insurance. The 2022-23 intern also opted out of health insurance. I have developed four scenarios projecting where we will end up with the grant's budget. See below:

- No change to the original budget (if July 2023-June 2024 intern **opts out** of insurance): **\$24,089 unspent**
- No change to the original budget (if July 2023-June 2024 intern **opts into** insurance): **\$18,678 unspent**
- Reclassify naturalist and start at step 1 on January 1 (if July 2023-June 2024 intern opts out of insurance): **\$4,131 unspent**
- Reclassify naturalist and start at step 1 on January 1 (if July 2023-June 2024 intern opts into insurance): **up to \$1,279 overspent**

These scenarios do not consider known savings to the project budget for July 2022-June 2023.

I expect that if the city makes this correction, the project will not go over budget. However, if it were to go over, I have a commitment from the Friends of the Hormel Nature Center to increase their existing match commitment to cover the overage. See the attached letter from Tim Ruzek, President of the Friends of the Hormel Nature Center.

Respectfully submitted,

J. Luke Reese

Director

Jay C. Hormel Nature Center

luke.reese@hormelnaturecenter.org

December 1, 2022

Craig Clark
City Administrator -- City of Austin
500 4th Ave NE
Austin, MN 55912

Dear Mr. Clark:

On November 28, 2022, the Friends of the Hormel Nature Center's Board of Directors voted 11-0, with 1 not present, to support the Park & Rec Director's plan, with support from the Nature Center Director, to reclassify the Environmental Education Outreach Coordinator (EEOC) position to Nature Center Teacher/Aid. The board approved that if doing so should make this project go over budget, the Friends would cover the difference.

The Friends board understands the complexity of this issue, but feels that the position, funded primarily by the ENRTF through an LCCMR grant, was always intended to be a naturalist position. The board understands that this budget had to change at the beginning of the grant due to a 1 year delay in funding *and* the City's completion of the comp and class study which adjusted city employee wages.

The Friends board understands that the Nature Center Director, Luke Reese, and the City's HR Director tried to find a solution in the middle. After discussing this issue with Mr. Reese, the board agrees that the compromise solution, while better now that it includes paid vacation, is not what was promised by the grant. The grant promised an additional intern and another *naturalist*.

It is the Friends board's understanding from Mr. Reese that while there is no official "naturalist" position in the city, the Nature Center Teacher/Aid is referred to as the naturalist. Therefore we agree that the EEOC position should be reclassified as another Nature Center Teacher/Aid to deliver on the grant's promises.

The Friends of the Hormel Nature Center have a vested interest in this matter as the match to the state's portion of the grant. As such, we want to see the money we have committed fully spent and the person in this position compensated fairly. We feel so strongly on the matter that if it should go over budget, the Friends will cover the difference to ensure that the cost of this project is \$0 to the taxpayers of the City of Austin.

The Friends of the Hormel Nature Center board strongly supports Mr. Reese's vision to utilize local resources as match to acquire state money to enhance the jewel that is the Jay C. Hormel Nature Center. We encourage you to work with him to continue to find success in this endeavor. We support his belief that each successful grant makes the next application more likely to be successful.

Respectfully,



Tim Ruzek

President
Friends of the Hormel Nature Center Board of Directors
PO BOX 83
Austin, MN 55912

RESOLUTION NO.

**APPROVING PREMISES PERMIT APPLICATION
FOR AUSTIN YOUTH HOCKEY, INC.**

BE IT RESOLVED, that the City of Austin approves a Premise Permit Gambling Application for the Austin Youth Hockey, Inc. at the Windrift Sports Bar & Grill located at 2511 11th Street NE, Austin, Minnesota.

Passed by a vote of yeas and nays this 21st day of February, 2023.

YEAS

NAYS

ATTEST:

APPROVED:

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

Memorandum

To: Mayor and City Council

Cc: Behren Lindahl
504 18th St NW Austin, MN 55912

From: Holly Wallace, Planning & Zoning Administrator

Re: Accumulation of Refuse and Junk
At 510 3rd Ave SE, Lindahl Property

Date: February 17, 2023

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 510 3rd Ave SE. 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**

March 7th, 2022

Behren Lindahl
510 3rd Ave SE
Austin, MN 55912

RE: Zoning Violations at 510 3rd Ave SE, Austin, MN 55912

Dear Behren:

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 7th, 2022 at this site and the following issues need to be resolved:

- 1. Remove all junk 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 10.14 Subd.1(B), 10.33 Subd.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 10.14, 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. 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.

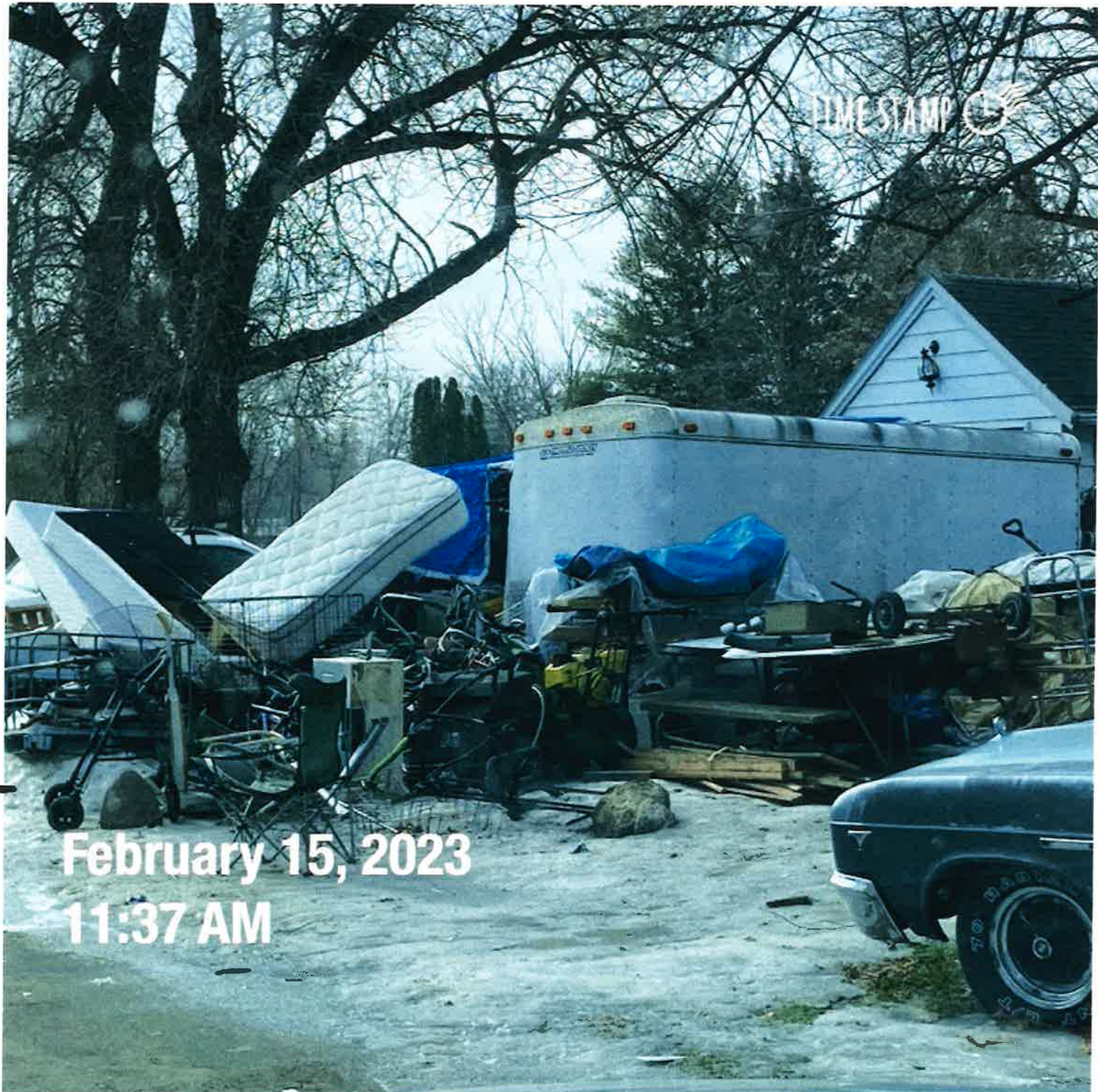
Please resolve the City Code violations within **10 days** of the date of this letter, or the matter will be referred to the Austin City Council for corrective action. Council generally meets the first and third Mondays of every month. You will be fined a minimum of \$100, the amount varies depending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

A handwritten signature in black ink, appearing to read "Brent Johnson", with a long horizontal flourish extending to the right.

Brent Johnson
Zoning Inspector

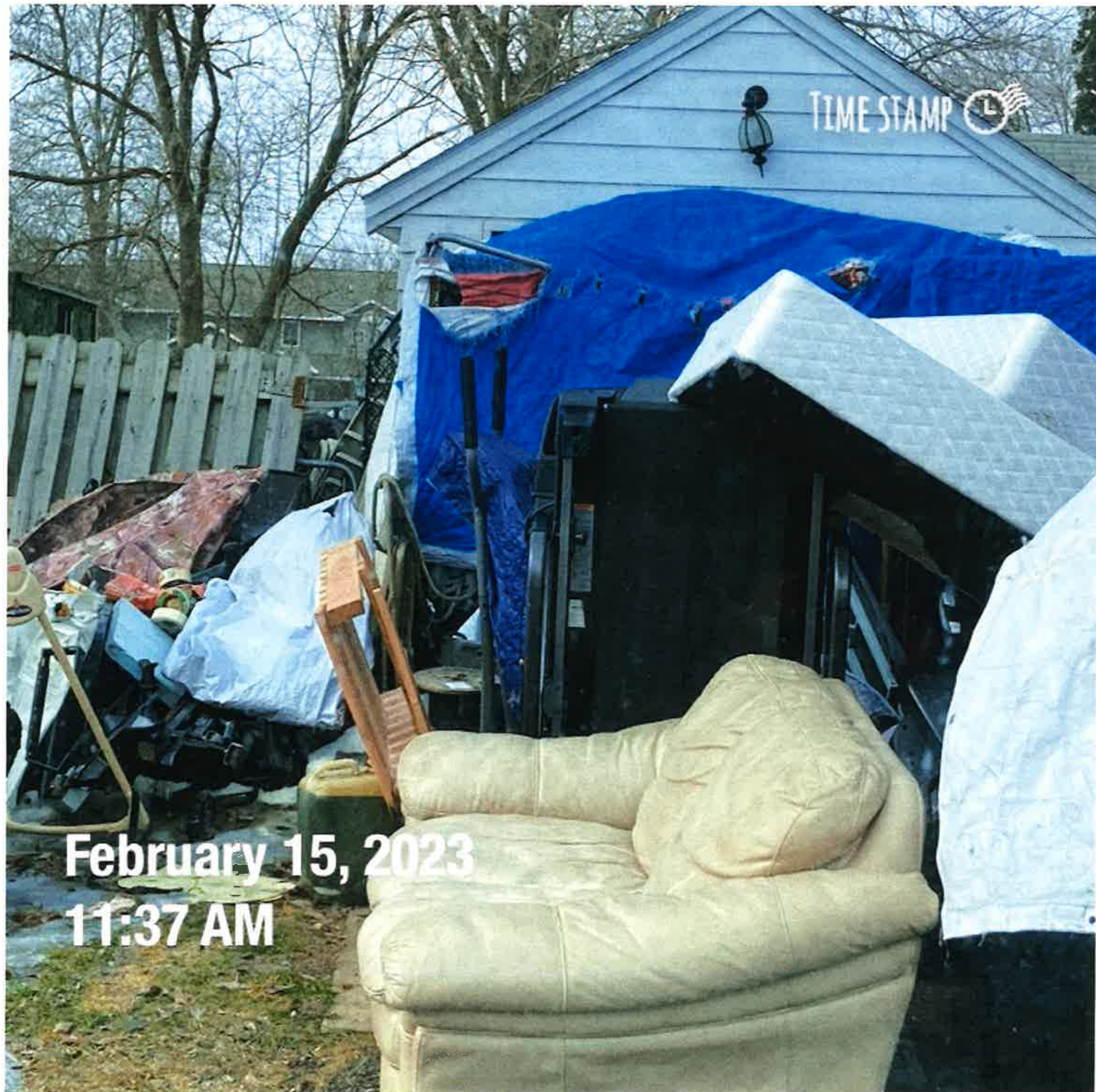


TIME STAMP

February 15, 2023
11:37 AM

510 3rd
Ave SE
Repeat

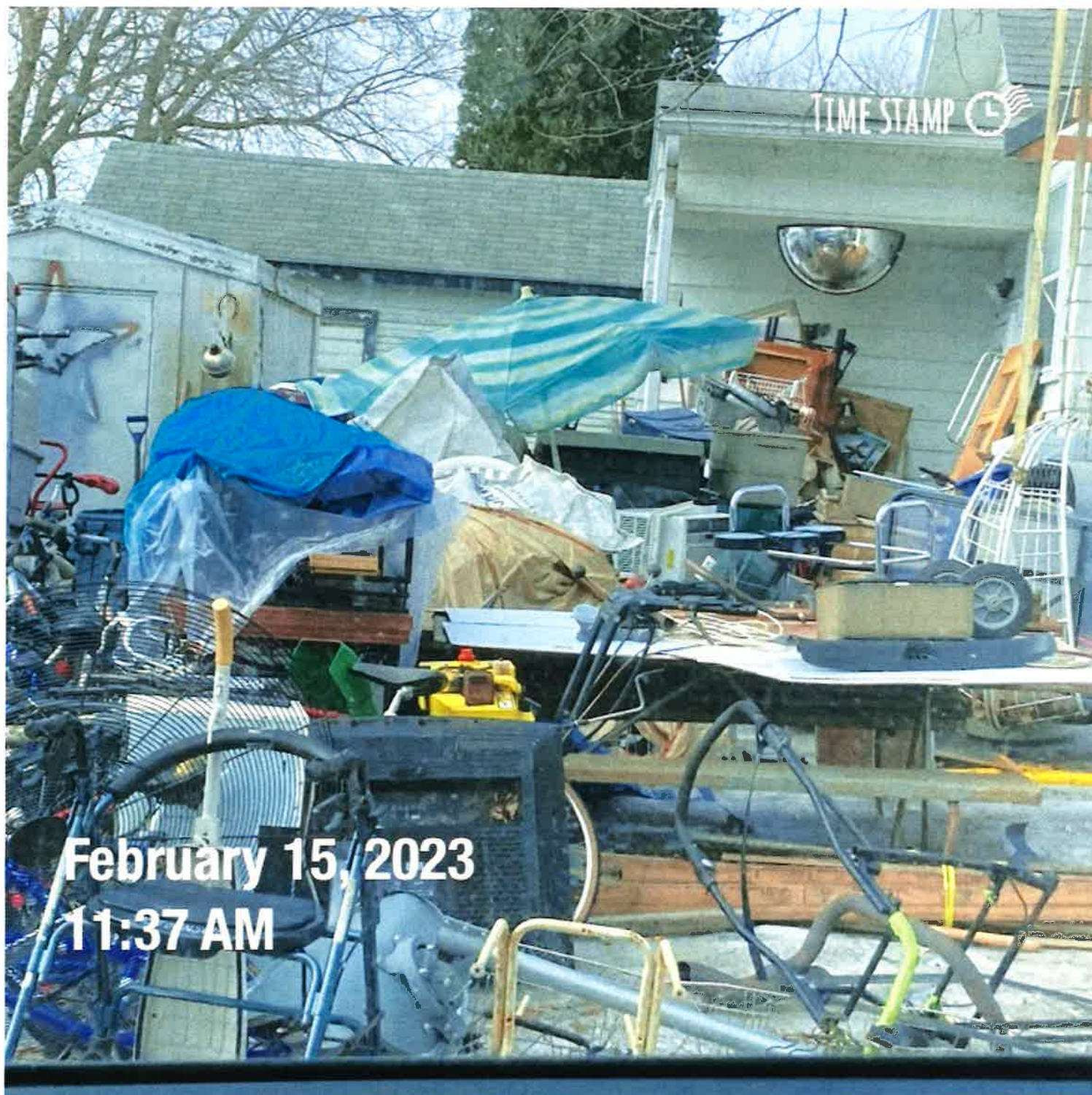
510



TIME STAMP 

February 15, 2023
11:37 AM

510



February 15, 2023
11:37 AM

**City of Austin
Zoning Department**



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

Memorandum

To: Mayor and City Council

Cc: Family of Sharon Dieser
1008 13th Ave NE Austin, MN 55912

From: Holly Wallace, Planning & Zoning Administrator

Re: Accumulation of Refuse and Junk
At 1008 13th Ave NE, Dieser Property

Date: February 17, 2023

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 1008 13th Ave NE. The property owner has been notified of this violation to the City Code Sections 10.14 Subd.1(B), 10.14 Subd.4-6 but has failed to resolve this issue. (See Attached)

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

Thank You

**City of Austin
Zoning Department**



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

November 14th, 2022

C/O Lorry Dieser
1008 13TH AVE NE
AUSTIN MN 55912

RE: Zoning Violations at 1008 13TH AVE NE Austin, MN 55912

Dear Lorry:

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 OCTOBER 27TH 2022 at this site and the following issues need to be resolved:

Remove all junk from property

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

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

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

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

B. Public nuisances affecting health

5. Accumulations of manure, refuse, 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

1008 13th
Ave NE

February 15, 2023
11:43 AM

