

**A G E N D A**  
**CITY COUNCIL MEETING**  
**MONDAY, APRIL 21, 2025**  
**5:30 P.M.**  
**COUNCIL CHAMBERS**

Call to Order.

Pledge of Allegiance.

Roll Call.

- (mot) 1. Adoption of Agenda
- (mot) 2. Approving minutes from April 7, 2025
- 3. Recognitions and Awards:
  - DUI All-Star Award Winners Officer Josh Bradley and Officer Ryan McCormack
  - Arbor Day Proclamation
- (mot) 4. \*Consent Agenda
  - Licenses:
    - Right of Way: Volt Electric, Austin, MN
    - Mobile: La Borinqua, Albert Lea, MN
    - Mobile: Mimi's Cone, Austin, MN
    - Mobile: Cousins Maine Lobster, Astoria, NY

Claims:

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

Events:

- Farmers Market (Downtown) June 2, 2025 – October 27, 2025
- 4th Avenue Fest on June 4, 2025

**PETITIONS AND REQUESTS:**

- (res) 5. Establishing miscellaneous administration license fees for 2025
- (res) 6. Approving a contract with Oyer Trucking
- (res) 7. Approving an Employee Recognition Policy
- (res) 8. Approving a request from the Paramount Theater for funding
- (mot) 9. Approving Main Street temporary bump outs
- (res) 10. Accepting donations

11. 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. 506 6th Avenue SW, Toscano Property  
(mot) b. 408 2nd Street SE, Neri Property  
(mot) c. 406 2nd Street SE, Raygor Property

**CITIZENS ADDRESSING THE COUNCIL**

**REPORTS AND RECOMMENDATIONS:**

City Administrator  
City Council

- (mot) Adjourn to **Monday, May 5, 2025** 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.

MINUTES  
CITY COUNCIL MEETING  
April 7, 2025  
5:30 PM  
Council Chambers

MEMBERS PRESENT: Mayor King. Council Members Paul Fischer, Rebecca Waller, Laura Helle, Michael Postma, Council Member-at-Large Jeff Austin and Council Member Joyce Poshusta appearing remotely via interactive technology (logged off at 5:45pm)

MEMBERS ABSENT: Council Member Jason Baskin

STAFF PRESENT: City Administrator Craig Clark, Director of Administrative Services Tom Dankert, Police Chief David McKichan, Public Works Director Steven Lang, Planning and Zoning Director Holly Wallace, City Attorney Craig Byram, Park and Rec Director Jason Sehon, Library Director Julie Clinefelter, Human Resources Director Trish Wiechmann and City Clerk Brianne Wolf

APPEARING IN PERSON: Austin Daily Herald, City of Austin Employees, Members of the AAUW, Pickleball Association Members and Community Members

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

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

Moved by Council Member Fischer, seconded by Council Member Waller, approving Council minutes from March 17, 2025. Carried.

Mayor King read a proclamation recognizing April 25th & 26th as the American Association of University of Women Days in Austin. He recognized those in attendance and presented the proclamation to Sue Grove, a member of the AAUW.

Mayor King recognized Austin High School Wrestler Samuel Winkels on his recent achievements during his athletic season.

Mayor King recognized Austin High School Swimmer Brent Dahl on his recent achievements during his athletic season.

Mayor King recognized Riverland Community College Men's Basketball Coach Derek Hahn for his leadership and the basketball team's remarkable achievements this past season.

CONSENT AGENDA

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

Licenses:

- Mobile: Cheverri Delicious Pupusas, Fairbault, MN
- Mobile: Mac Shack LLC, Lyle, MN
- Mobile: Stagecoach BBQ & Grill, Brownsdale, MN
- Right of Way: Harty Mechanical, Austin, MN
- Exempt Gambling (raffle): Austin Area Chamber of Commerce on July 7, 2025
- Exempt Gambling (raffle): United Catholic Schools Foundations of Austin on June 20, 2025

Claims:

- a. Pre-list of Bills
- b. Financial Report
- c. Credit Card Report

Events:

- Healthy Kid's Day Color Run on April 25, 2025
- Beer, Bacon, and Beignets on April 26, 2025
- VFW Car Show on May 17, 2025
- 2025 Community Block Parties on multiple dates in June, July and August
- 3rd Annual Recovery Walk on September 20, 2025

Carried.

AWARDING BIDS

Park and Rec Director Jason Sehon spoke about the bids for the 2025 ash tree and stump removal project. He stated this was round number two of ash tree removal; they would be removing 400 ash trees, with the possibility to remove 600 trees and relayed the bids came in as follows:

<b><u>Contractor</u></b>	<b><u>Total</u></b>
Johannes Tree Services & More, Osage, IA	\$170,000.00
Olson Timber Company, Sioux Center IA	\$182,276.64
Ted Janning Tree Service, Blooming Prairie, MN	\$189,500.00
Carr's Tree Service, Inc., Ottertail, MN	\$214,560.00
P Squared, Austin, MN	\$255,469.60
Albert Lea Tree Service, Hollandale, MN	\$272,000.00
Adam Meyer Construction, Austin, MN	\$326,500.00
Johnson Construction and Tree Service, Austin, MN	\$360,000.00
Castle Rock Contractors & Tree Service, Castle Rock, MN	\$360,000.00
Olson Tree Services Inc., Grand Meadow, MN	\$367,000.00
Morem Tree Service, Austin, MN	\$400,000.00
Valdes Lawn Care, Lake Elmo, MN	\$540,000.00

Mr. Sehon evaluated the bids and qualifications of the prospective bidders and recommended awarding the bid to Olson Timber Company in the amount of \$182,276.64. Of this amount, a Hormel Foundation Grant would cover \$91,138.32. The tree removal would take approximately five to eight weeks to complete. Mr. Sehon noted the low bidder is not being awarded this contract as there are concerns over their ability to complete the contract in our timeline.

Council Member Postma asked if the City increased the amount of trees to be removed to 600, would it extend the time line.

Mr. Sehon stated this would extend the timeline to eight weeks.

Moved by Council Member Fischer, seconded by Council Member Helle, awarding the bid to Olson Timber Company. Carried 6-0.

Public Works Director Steven Lang spoke about the bids for construction of the Oakland Avenue West Trail. He relayed the bids came in as follows:

<b><u>Contractor</u></b>	<b><u>Total</u></b>
Hansen Hauling & Excavating, Inc.	\$ 110,893.00
Ulland Bros., Inc.	\$ 130,240.00
Elcor Construction	\$ 137,713.00
ICON, LLC	\$ 145,394.70
Rochester Sand & Gravel	\$ 149,291.10
SL Contracting, Inc.	\$ 190,972.00
Engineer's Estimate	\$ 152,775.00

Mr. Lang stated they have a Hormel Foundation Grant that can be used on this project for up to 65% of the construction costs or a maximum amount of \$120,000. He recommended awarding the bid to Hansen Hauling & Excavating, Inc.

Moved by Council Member Postma, seconded by Council Member Waller, awarding the bid to Hansen Hauling & Excavating, Inc. Carried 5-0.

Park and Rec Director Jason Sehon spoke about the bids for construction of the Jay C. Hormel Nature Center Trail Project. He relayed the bids came in as follows:

<b><u>Contractor</u></b>	<b><u>Total</u></b>
Ulland Brothers, Inc.	\$330,630.00
Hansen Hauling & Excavating	\$336,749.10
Heselton Construction, LLC	\$357,396.50
Elcor Construction	\$359,938.74
Rochester Sand & Gravel	\$404,244.78
SL Contracting, Inc	\$440,341.00

Engineer's Estimate

\$351,075.25

Mr. Sehon recommended awarding the bid to Ulland Brothers, Inc.

Moved by Council Member Fischer, seconded by Council Member Postma, awarding the bid to Ulland Brothers, Inc. Carried 5-0.

Public Works Director Steven Lang spoke about the bids for asphalt street construction in the Nature Ridge Fourth Addition. Mr. Lang stated the work will consist of site grading, underground utility construction, asphalt paving, curb & gutter, sidewalk, and street lighting for the development of thirty residential parcels. He relayed the bids came in as follows:

<b>Contractor</b>	<b>Base Bid</b>	<b>Alternate 1</b>	<b>Alternate 2</b>	<b>Alternate 3</b>
JJD Companies, LLC	\$ 984,724.14	\$ 71,542.50	\$ 10,704.00	\$ 56,541.25
BCM Construction, Inc.	\$1,058,073.00	\$ 72,971.00	\$ 14,146.00	\$ 64,785.00
Snow Contracting, LLC	\$1,072,722.90	\$ 69,722.80	\$ 10,585.30	\$ 54,771.50
ICON, LLC	\$1,100,058.70	\$ 68,188.00	\$ 12,785.00	\$ 62,220.00
Ulland Brothers Inc.	\$1,120,221.40	\$ 68,972.80	\$ 10,645.75	\$ 55,221.50
Heselton Construction, LLC.	\$1,147,785.80	\$ 72,457.50	\$ 12,721.25	\$ 57,985.00
Engineer's Estimate	\$1,373,585.20	\$ 68,350.00	\$ 15,085.00	\$ 74,225.00

Mr. Lang recommended awarding the bid to JJD Companies, LLC for the base bid and alternate 2.

Moved by Council Member Postma, seconded by Council Member Helle, awarding the bid to JJD Companies, LLC. Carried 5-0.

Public Works Director Steven Lang spoke about the bids for the 2025 asphalt street reconstruction projects. He relayed the bids came in as follows:

<b>Contractor</b>	<b>Total</b>
Ulland Brothers, Inc.	\$1,698,239.70
Wencl Construction	\$1,748,858.00
ICON, LLC	\$1,762,988.78
Rochester Sand & Gravel	\$1,816,950.79
BCM Construction, Inc.	\$1,832,925.00
Engineer's Estimate	\$2,046,145.10

Mr. Lang recommended awarding the bid to Ulland Brothers, Inc.

Moved by Council Member Fischer, seconded by Council Member Waller, awarding the bid to Ulland Brothers, Inc. Carried 5-0.

PUBLIC HEARINGS

Mayor King stated this was a public hearing on street improvements on Oakland Avenue and 1st Avenue SW, Project 25103. The amount to be assessed is \$1,009,353.11 at 5.75% for 15 years in three phases. Public Works Director Steven Lang relayed information on the assessment and stated the estimated projects costs are \$15.60 million. The City obtained \$7.68 million in State & Federal grants, \$5.95 million in Municipal State Aid, has \$0.96 million in the Sanitary Sewer Fund.

Council Member Postma recommends citizens sign up for the text alerts related to this project.

Mr. Lang stated there have been no written objections to this project.

There were no public comments.

Moved by Council Member-at-Large Austin, seconded by Council Member Postma, adopting a resolution declaring the cost of Project 25103. Carried 5-0.

Moved by Council Member-at-Large Austin, Seconded by Council Member Waller, adopting a resolution adopting the assessment roll of Project 25103. Carried 5-0.

#### PETITIONS AND REQUESTS

Public Works Director Steven Lang stated this ordinance is being brought forth for a second reading. The ordinance is being brought before Council due to fats, oils and grease in the sewer system and the problems they are causing. Mr. Lang stated with the adoption of this ordinance, which mainly deals with food service establishments, the Public Works Department will work with area businesses to ensure their grease traps are being cleaned and monitored on a regular basis. This will allow for those greases to be caught in traps and not be sent downstream into the wastewater collection system.

Mr. Lang also relayed part of the ordinance being presented is for point-of-sale inspections for sanitary sewer services and sump pumps. This would take place when homes sell. The sump pump point of sale is in an effort way to maintain the I/I program.

Mayor King requested a motion for the approval of the fats, oils & grease and point of sale ordinance.

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

Moved by Council Member Fischer, seconded by Council Member Waller, for the adoption of the fats, oils & grease and point of sale ordinance. Carried 5-0. As this is the second reading of the ordinance, it passes with a simple majority in favor.

Moved by Council Member Fischer, seconded by Council Member Postma, approving a resolution for summary publication of the ordinance. Carried 5-0.

Park and Rec Director Jason Sehon requested approval of the Parks, Recreation & Forestry comprehensive plan.

Moved by Council Member-at-Large Austin, seconded by Council Member Postma, approving Parks, Recreation & Forestry comprehensive plan. Carried 5-0.

Mayor King requested Council approval to accept Joyce Poshusta's resignation effective April 22, 2025 and declare a Third Ward vacancy.

Moved by Council Member Fischer, seconded by Council Member Helle, accepting Joyce Poshusta's resignation effective April 22, 2025 and declaring a Third Ward vacancy. Carried 5-0.

Moved by Council Member Fischer, seconded by Council Member Waller, approving a City of Austin & Austin Fire Association fire service contract. Carried 5-0.

Park and Rec Director Jason Sehon requested Council approve funding from contingency for repairs to a retaining wall at the Veterans Pavilion. The repairs would cost an estimated amount of \$20,000.

Council Member Postma asked if this can be completed by the 4<sup>th</sup> of July due to the festivities planned.

Mr. Sehon relayed the project would be completed by then as much of the labor would be completed in house.

Moved by Council Member Postma, seconded by Council Member Waller, approving the use of \$20,000 of funds from contingency to repair the retaining wall at the Veterans Pavilion. Carried.

Public Works Director Steven Lang stated he received a proposal from WHKS for a sanitary sewer study of the SE Trunk Sewer. The estimated cost of the study is \$24,000 and the work will include analysis of realigning the sanitary sewer trunkline in the southeast area of Austin, MN. The objective of this realignment is to enhance service in the southeast area by addressing aging infrastructure and capacity issues along the current alignment. The realignment is also expected to reduce the overall length of the trunkline, thereby decreasing long-term operational and maintenance costs. Specifically, this project will provide sizing, preliminary alignment, and constructability analysis of the proposed alignment. Additionally, the project will assess the impacts of the proposed alignment on sewer capacity in the area.

Mr. Lang would recommend approval of the engineering service contract with WHKS for the SE Trunk Sewer study in the amount of \$24,000. He stated the work will be funded using the WWTP Fund 61.

Moved by Council Member Fischer, seconded by Council Member Helle, approving a proposal from WHKS for a sanitary sewer study of the SE Trunk Sewer in the amount of \$24,000. Carried 5-0.

Public Works Director Steven Lang has identified a combination of projects along Ellis Ditch to address multiple infrastructure improvements, which would include the following:

2026 CIP Ellis Ditch Neighborhood Projects

- \$1,400,000, 6th Avenue SE from 18th St. to 21st St. road reconstruction
- \$1,500,000, Ellis ditch drainage improvements
- \$ 350,000, Ellis ditch sanitary sewer main repairs
- \$ 325,000, Ellis ditch trail
- \$3,575,000, Total Estimated Cost

Mr. Lang stated the goal of the study is to evaluate all the factors associated with drainage and sewer issues in these neighborhoods, with a goal to improve the infrastructure. He presented a proposal from WHKS for a drainage study along Ellis Ditch with an estimated cost of \$73,000. He stated the project will investigate alternatives to reduce flooding in that area, investigate potential modifications to Ellis Ditch along 6<sup>th</sup> Avenue SE, as well as other downstream improvements to improve conveyance of peak flows.

Mr. Lang would recommend approval of the engineering service contract with WHKS for the Ellis Ditch and 6<sup>th</sup> Avenue SE in the amount of \$73,000. He stated the work will be funded using 2/3 Local Option Sales Tax and 1/3 Stormwater Utility Fund 67.

Moved by Council Member-at-Large Austin, seconded by Council Member Helle, approving a proposal from WHKS for a drainage study of the Ellis Ditch in the amount of \$73,000. Carried 5-0.

Public Works Director Steven Lang requested Council approval to amend a limited use permit for the construction of pedestrian trails within I-90 MnDOT right-of-way as part of the Oakland Avenue West Trail construction project. The original LUP was signed by the City on August 21, 2023.

Moved by Council Member Fischer, seconded by Council Member Postma, approving an amendment to the limited use permit 5080-0021. Carried 5-0.

Planning and Zoning Administrator Holly Wallace stated Astrup Properties, LLC 905 North Main Street, is requesting an appeal to remove green space on their property to create additional parking needed for peak traffic increases. This is due to a merger of two pharmacies. The Planning Commission approved the request and Ms. Wallace is requesting approval from the Council.

Moved by Council Member Fischer, seconded by Council Member Helle, approving the appeal. Carried.

Planning and Zoning Administrator Holly Wallace stated Brienne & David Wolf, 203 18<sup>th</sup> Street NW, are requesting a variance for a shed set back due do their property being on a corner lot and is not in compliance with the City's ordinances. The Planning Commission approved the request and Ms. Wallace requested approval from the City Council.

Moved by Council Member Postma, seconded by Council Member Austin, approving the variance. Carried.

Moved by Council Member Postma, seconded by Council Member Waller, adopting a resolution accepting donations to the City of Austin. Carried 5-0.

Moved by Council Member Fischer, seconded by Council Member Helle, to grant the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 813 8<sup>th</sup> Avenue SW, Bryan Property. Carried.

## REPORTS AND RECOMMENDATIONS

City Administrator Craig Clark stated a City, County, School Board meeting will be held on Monday, April 14, 2025 at 4:30 pm and if Council has any agenda items, they would like to discuss please let him know.

Library Director Julie Clinefelter relayed the library is getting a new integrated system. The last update was in 2002. The current system is 22 years old. Ms. Clinefelter stated the week of April 28<sup>th</sup> the library will be closed on Monday as they make sure staff is trained on the new system. The library will resume normal hours on April 29<sup>th</sup> with limited accessibility to the system as they are uploading the new software. If patrons have their library card, they can come on in on Tuesday and Wednesday and check out books or materials from the library but there won't be any holds and they will not be able to do any requests. Nothing will be due and there will be no overdue books at this time. Meeting rooms will still be available. They will try to get information as quickly and efficiently as they can while they work on the update to the system.

Public Works Director Steven Lang stated the MS 4 stormwater annual meeting is scheduled for Tuesday, April 29<sup>th</sup> at 4:00 PM in the Council Chambers and is open to the public.

Council Member Postma stated the Oakland Avenue project is getting ready and wanted citizens to be aware of this. He relayed that Trish Harren, County Administrator, had announced she will be stepping down from her position. He thanked her for all the work she has done for the County and Austin. The City has had a great working relationship with the County and hopes the County will be able to find someone to fill her shoes so they can keep that relationship going.

Council Member Helle relayed Wednesday, June 4<sup>th</sup> is Fourth Avenue Fest and will be located at Horace Park, which is between the Library and the Municipal pool. Council Member Helle encourages all to attend. She congratulated Lynn Thompson, who recently accepted the position of Park Supervisor. Lynn had been serving as an interim in that position for many months. She also thanked all involved in the process of interviewing candidates for the position.

Mayor King participated in the employee engagement Hoop Shoot, and he was able to make four baskets in one minute. He thanked the Employee Wellness Committee for putting on this event as there was a lot of participation and it is appreciated.

Mayor King read off the April Employee Anniversaries.

Moved by Council Member-at-Large Austin, seconded by Council Member Helle, adjourning the meeting to April 21, 2025. Carried.

Adjourned: 6:19 p.m.

Approved: April 21, 2025

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

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

From the Office of the Mayor



500 Fourth Avenue NE  
Austin, Minnesota 55912-3773  
Phone: 507-437-9965  
Fax: 507-434-7197  
www.ci.austin.mn.us

# Proclamation

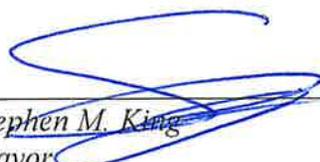
- WHEREAS:** *Trees and forest soils keep our lakes and streams clean by absorbing and filtering pollutants and sediments; and*
- WHEREAS:** *Forests prevent flooding and reduce stormwater by capturing and storing rainwater and snowmelt, which is then slowly released to our lakes, streams, and groundwater; and*
- WHEREAS:** *Careful management of our trees and forests protects drinking water and reduces the cost of water treatment; and*
- WHEREAS:** *Sound management of forested lands surrounding the Mississippi River ensures clean drinking water for more than one million Minnesotans; and*
- WHEREAS:** *About three-quarters of Minnesotans get their drinking water from the forested parts of the state; and*
- WHEREAS:** *Planting and maintaining trees is a natural and easy way to keep our water clean; and*
- WHEREAS:** *Throughout the month of May, Minnesotans pay special tribute to our trees as natural resources and dedicate ourselves to the vitality of our forests.*

**NOW THEREFORE, I, Stephen M. King, Mayor of Austin, Minnesota do hereby proclaim Saturday, May 10, 2025 as:**

## **Arbor Day**

*And I do hereby proclaim the month of May 2025 as **Arbor Month** in the City of Austin.*



  
\_\_\_\_\_  
Stephen M. King  
Mayor

## RESOLUTION NO.

ESTABLISHING AND FIXING LICENSE FEES AND MISCELLANEOUS  
OPERATIONAL FEES OF THE CITY OF AUSTIN FOR THE YEAR 2025

**WHEREAS**, pursuant to Austin City Code, Section 6.04 requires that the City Council by resolution fix and determine fee for licenses; and

**WHEREAS**, the City of Austin has certain fees for miscellaneous business operations.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the City Council of the City of Austin sets the following miscellaneous business operational fees to be effective April 21, 2025, and that a copy of this resolution which sets forth the approved fees shall be on file in the office of the City Clerk.

Administrative Citations	\$300 – Building code violations \$200 – MN State Fire code violations \$100 – All other code violations Repeat violations within 24 months 25%, 50% and 100% increased, doubling after the 4 <sup>th</sup> violation to a maximum of \$2,000
Administrative Billing Fee (for nuisance type billings)	\$75.00
Air Tank Fill	\$15.00
Airport Hangar Fees	\$.10 per sq. ft annually
Airport T-Hangar Fees	\$250.00 per unit monthly 2% annual increase for multi-year leases \$250 admin fee due at lease signing
Animal Impounding Fees	25.00 - 1st time 35.00 - 2nd time 45.00 - 3rd time 55.00 - 4 <sup>th</sup> or more times 20.00 + per day boarding
Assessment Searches	\$25.00
Auto Extrication or Haz Mat/ Gas Line Strike	\$250.00/hour, Engine/Ladder, one-hour minimum \$125.00/hour, Rescue/Tanker, one-hour minimum \$100.00/hour, Command/Brush/Utility, one-hour minimum Duty fire personnel, one hour minimum Paged fire personnel, two hour minimum

Cat Permanent License	\$10.00 - Spayed/neutered \$25.00 - Not spayed/neutered \$ 5.00 - Replacement
Daycare/Foster Care Inspections	\$50.00
Dog Permanent License	\$10.00 - Spayed/neutered \$25.00 - Not spayed/neutered \$ 5.00 - Replacement
Cannabis Registration Fees	The City of Austin will follow the guidance under Minn. Stat. 342.11 in issuing cannabis registration fees.
Copy Fees	\$.25 - one-sided \$.50 - two-sided \$.50 - 11x17 paper \$.50 - color copies
Code Book	\$100.00
Code Book Supplement	\$15.00
Credit Card Fee	4% on all charges
Fat, Oil, Grease (FOG) Surcharge Fee	\$100.00 per month
Fat, Oil, Grease (FOG) Reinspection Fee	\$100.00 per inspection (in addition to permit fees)
Fat, Oil, Grease (FOG) 2 <sup>nd</sup> Reinspection Fee	\$100.00
Fat, Oil, Grease (FOG) Exemption Fee	\$100.00
False Alarms (after two false alarms)	\$100.00
Filing Fees	\$25.00 (per City Charter)
Finance Fees	1% unpaid balance per month after 30 days or a minimum of \$10.00 per month
Fire Reports	\$15.00
Fire Watch	Hourly rate billed per each fire fighter
Fireworks Permit	\$100.00
Flow Test	\$30.00
Liquor Catering	\$200.00

Maps	\$8.00 4' x 5' (approx. size) \$4.00 2' x 3' (approx. size)
Media Copies	\$10.00 DVD
Moving Permits	\$160.00 Police escort (minimum), if required
Notarial Services	\$1.00 per document
NSF Check Fees	\$40.00
Parking Permit Fees	\$20.00 per month (individual marked spot) \$20.00 per month (rental permit) \$100.00 per year (designated lot)
Parking Violation	\$10.00 over time \$20.00 fire hydrant
Parking Violation – Snow Emergency	\$25.00
Pawn Fees Electronic Transactions	\$1.50 per billable transaction
Pawn Fees Manual Transaction	\$2.50 per billable transaction
Police Officer Use <b>Two Hour Minimum</b>	\$105.00 per hour – Officer \$115.00 per hour – Detective \$130.00 per hour – Supervisor
Rental Licensing Fees	\$120 Single family property \$100 + \$20 per unit Multi family property 20% of license fee for late fee \$50 reinspection fee \$500 failure to register fee
Right-of-Way Management Fees	\$85.00 Registration Fee \$60.00 Excavation Permit Fee \$92.50 Hole-Spot Excavation \$0.20/lf Trenching/Directional Boring \$60.00 Lane Closure \$60.00 Overweight/Width Load \$100.00 House Moving \$60.00 Garage Moving \$30.00 Permit Extension
Sanitary Sewer Cleaning Jetter/Vac Rental	\$450.00 1 <sup>st</sup> hour \$350.00 every hour thereafter \$125.00 disposal \$30.00 per hour additional for overtime \$200.00 per hour televising service

Sanitary Sewer Permit Fee:  
 Residential Equivalent Unit (REU), 1 REU = \$1,500.00

Residential Property	1 REU per dwelling unit
Non-Residential Property	1 REU per 300 gpd or per 20 fixture units, whichever is greater
Commercial Property	1 REU per 300 gpd or per 20 fixture units, whichever is greater
Industrial Properties	Commercial criteria; and maximum daily Industrial Wastewater for process flow

Sewer Lateral Development Charge:

Gravity system	\$15,000 per connection
Gravity system/grinder pump combo	\$18,200 per connection
Gravity system w/ lift station	\$15,000 per connection

Sewer Service Charge:

4" service	\$1,000 per connection
6" service	\$1,200 per connection

Sewer I/I Surcharge	\$100 per month (Sump Pump)
	\$100 per month (Sewer Service)

Sidewalk Snow Removal \$ .65 per linear foot

Sidewalk Salt/Sand \$ .25 per linear foot

Sign Replacement \$250.00 sign & post replacement  
 \$125.00 every additional sign

Vacant Property Registration Fee \$120.00 per property

Vehicle Forfeiture \$150.00 administration fee  
 \$20.00 per day storage

Waste Water Treatment Plant Disposal \$2,500 Annual Administration  
 \$250 Sample Collection (per round)  
 \$77.63 Tanker (per 6000 gal.load)  
 \$20.00 RV Dump Station (per visit)

Zoning Fees \$300.00 Conditional Use Permit  
 \$400.00 Platting(plus \$25.00 per lot)  
 \$300.00 Rezoning  
 \$300.00 Variance  
 \$200.00 Fence Appeal  
 \$200.00 Sign Appeal  
 \$225.00 Interim Use Permit (1-2 years)  
 \$300.00 Interim Use Permit (3-5 years)

Zoning Compliance Letters

\$30.00 Residential  
\$100.00 Commercial  
\$50.00 Rush Fee (2 days)

Passed by a vote of yeas and nays this 21st day of April, 2025.

YEAS

NAYS

ATTEST:

APPROVED:

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City Recorder

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Mayor

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



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

## Memorandum

**To:** Mayor & Council  
**From:** Steven J. Lang, P.E.  
**Date:** April 10, 2025  
**Subject:** Bids – Biosolids Removal WWTP, Contract Extension

Oyer Trucking has been contracted to remove liquid biosolids from the WWTP for the past 10-years. The WWTP Expansion project will eliminate the need for hauling of liquid biosolids, but until the project is complete there is a need to continue the liquid hauling process. We have worked with Oyer on a contract extension at the current rate of \$0.055/gallon for a 2-year extension agreement. We typically haul about 9,000,000 gallons per year at a total cost of \$495,000 per year. It is anticipated that this 2-year extension will complete our needs for liquid hauling.

We would recommend Council approve the attached contract extension with Oyer Trucking & Pumping LCC. Funding will be through the Sewer User fund, with cost split between the domestic and industrial budgets. If you have any questions, feel free to contact me.

### Previous 2yr Contracts

2023/24	\$990,000	Oyer Trucking
2021/22	\$698,400	Oyer Trucking
2019/20	\$698,400	Oyer Trucking
2017/18	\$490,500 \$585,000	Oyer Trucking United Liquid Waste
2015/16	\$423,000 \$427,500 \$639,000	Oyer Trucking United Liquid Waste Synagro Central, LLC
2013/14	\$445,500 \$455,785	United Liquid Waste Oyer Trucking
2011/12	\$548,820 \$561,150	Oyer Trucking Fergus Power & Pump
2009/10	\$561,738 \$566,792 \$610,200	Oyer Trucking Fergus Power & Pump DRT Biosolids

## CONTRACT

This contract made this \_\_\_\_ day of \_\_\_\_\_, 2025, by and between Oyer Trucking & Pumping, LLC, hereinafter called the "Contractor" and referred to by the pronoun he or its derivatives, party of the first party; and the City of Austin, a municipal corporation, of Mower County, hereinafter called the "City", party of the second part.

WITNESSETH that whereas, the City has invited and the Contractor has submitted a proposal in the form and manner required, a copy of which is attached hereto, for the construction of the following described work:

Biosolids removal and sludge applications periodically during calendar years 2025 and 2026.  
Total volume estimated per year is 9,000,000 gallons.

NOW, THEREFORE, the parties hereto agree as follows:

The Contractor hereby agrees to furnish all necessary material, labor, skill, machinery and appliances (except such materials, if any, as are sufficiently designated in the Notice to Bidders to be furnished by the City), and at his own risk and expense to construct and complete said work within the time herein provided (time being of the essence of this contract) in strict compliance with the Notice to Bidders, the specifications and contract plans, such detail drawings as may be furnished by the City, the lines and grades being given by the City, and such instructions as may be issued by the City during the progress of the work, for the price hereinafter set forth.

The Contractor hereby further agrees to receive as full payment for the performance of this contract, amount or amounts herein provided.

The Contractor is satisfied with the approximate estimate of quantities stated in the proposal for the determining of prices for which he agrees to do the work required under this contract.

No payment shall be made by the City for any work in excess of the requirements of the plans and specifications, unless a written order has been given by the City for such work.

The City shall have the right to increase or decrease the quantities of work, or to omit any portion of the work, without affecting the unit prices to be paid therefor. The City, upon written order to the Contractor, shall have the right to make any changes or alterations in the plans or specifications for the work and the Contractor shall comply therewith. In case extra work is required by the City which cannot be classed with work for which a unit price is established in this contract, the City shall give a written order to the Contractor to furnish the necessary materials and do the said work, and shall determine, and set forth in said order, the compensation to be paid to the Contractor for the same. If the prices fixed by the City are agreed to in writing by the Contractor, the said prices or price shall be paid to the Contractor as full compensation for said extra work.

The Contractor shall give his personal and direct attention to the work and keep it under his control. In case of his absence he will have a competent Superintendent on the work who will receive orders and instructions from the City and have full authority to execute the same without delay.

The Contractor shall remove and apply approximately 9,000,000 gallons of liquid sludge between per calendar year on such dates and times as shall be directed by City (no more than 4 removals/applications per year).

If the contract is not completed on the date or in the number of working days specified in the specifications, then liquidated damages will be deducted as set forth in State Specifications 1807. Each project, if multiple, shall be considered separately for liquidated damages.

The Contractor shall make no charge or claim whatsoever for any hindrance or delay of the work from any cause but he shall be entitled to present a claim for an extension of the time for the completion of the work as provided, said claim shall be presented in writing to the City within thirty (30) days after the beginning of such delay. The amount of additional time to be allowed shall be determined by the City.

The City shall have the right to control every detail of the work, whether performed by the Contractor or by a Sub-contractor and shall have the right to require the Contractor to discharge any employee on the work whom it may deem objectionable.

The Contractor shall furnish at his own expense, such labor and assistance as may be necessary to aid the City in inspecting the work and material, but it is understood and agreed that the inspection of the work and materials by the City will in no way lessen the responsibility of the Contractor to execute the work and deliver same to the City in a satisfactory condition, until the final acceptance of all work under this contract.

The Contractor hereby guarantees that all the work under this contract will be done in a careful and workmanlike manner. In the event the work, or any part thereof, shall be found defective at any time before the final acceptance of the entire work, the Contractor shall at his own expense remedy such defect in a manner satisfactory to the City, and if any materials brought upon the site of the work for use in such work, or selected for same, shall be condemned by the City as unsuitable or not in conformity with the specifications, the Contractor shall remove such materials from the site of said work. Defective work and unsuitable materials may be rejected at any time before the work has been finally accepted and paid for, notwithstanding that such work and materials may have been previously accepted by the City and estimated for payment.

The Contractor shall procure all necessary permits and licenses, obey and abide by the laws, regulations and ordinances of the United States, of the State of Minnesota, or any civil subdivision thereof or of any duly constituted public authority, insofar as the contract plans, specifications and orders of the City furnished to the Contractor will permit.

Prior to entering this Contract, the Contractor has provided proof of compliance with the Workers' Compensation Insurance Requirements as provided by Minnesota Statutes § 176.182. Throughout the term of this Contract, the Contractor shall maintain at his own expense such casualty insurance, workers' compensation insurance, etc., as may be required by the City. The Contractor is to be responsible for obtaining and maintaining such insurance as will afford the fullest protection to the Contractor and the City from costs or claims, consistent with the work involved.

The Contractor undertakes to indemnify and save harmless the City, and for or on account of the City to make defense against all claims for damages to persons or to property alleged to have been caused through the negligent performance of any part of the work herein, whether such default be asserted to have been in the performance of a duty to employees, to the owners of property, or to the members of the public.

The Contractor agrees that the measurements taken and estimates made by the City shall be final and conclusive evidence of the amount of material furnished and work performed by the Contractor under this agreement. The Contractor shall not cover over or fill in completed work until the same has been inspected and measured for payment by the City.

It is agreed that the following documents are hereby made a part of this contract:

- A. The Notice to Bidders;
- B. The proposal made by the Contractor;
- C. The Articles of Agreement;
- D. The Specifications;
- E. The Bond;
- F. The contract plans approved by City;
- G. Such supplementary or additional plans as the City may provide.

The City will pay or cause to be paid the compensation provided for herein as follows:

On or about the tenth day of each month ninety-five percent (95%) of the value as determined by the City Engineer, based upon the contract price of the work completed by the Contractor prior to the twentieth day of the preceding month, less the aggregate of previous payments.

Upon acceptance of the entire work, the City will within thirty (30) days, cause to be paid the full balance due under the contract provided that prior to receiving such payment the Contractor shall furnish satisfactory evidence of the payment of all materials and labor and of the settlement of all claims. Further, prior to issuance of any final payment and pursuant to Minnesota Statutes § 270C.66, the Contractor shall provide to the City proof of compliance with state income tax-withholding requirements in the form of a fully completed and filed Form IC-134.

Pursuant to Minnesota Statutes § 16C.05, subd. 5, the books, records, documents, and accounting procedures and practices of the Contractor (with regard to this Contract) are subject to examination by the City and the State Auditor, as appropriate, for a minimum of six years.

Pursuant to Minnesota Statutes § 471.425, subd 4a, the Contractor must pay any subcontractor within ten days of the Contractor's receipt of payment from the City for undisputed services provided by the subcontractor. Failure to pay a subcontractor as provided shall result in the Contractor paying said subcontractor interest of 1-1/2 percent per month or any part of a month on any undisputed amount not paid on time to the subcontractor. The minimum monthly interest penalty payment for an unpaid balance of \$100 or more is \$10. For an unpaid balance of less than \$100, the prime contractor shall pay the actual penalty due to the subcontractor. A subcontractor who prevails in a civil action to collect interest penalties from a prime contractor must be awarded its costs and disbursements, including attorney's fees, incurred in bringing the action.

Pursuant to Minnesota Statutes § 471.425, subd 4, the City is required to pay the Contractor according to the terms of this contract or according to the standard payment period as defined by the statute. Failure by the City to pay the Contractor as required shall result in the City paying the Contractor interest of 1-1/2 percent per month or any part of a month on any undisputed amount not paid on time to the Contractor. No interest penalties shall accrue against the City due to a good faith dispute regarding contract compliance, or any defect, error, or omission in performance under this contract. However, if such delay is not in good faith, the Contractor may recover its costs and attorney fees. The minimum monthly interest penalty payment the City shall calculate and pay for any past due amount of \$100 or more is \$10. For balances of less than \$100, the City shall calculate and pay the actual interest penalty.

The Contractor shall, at his own cost, furnish a bond in such form and with such sureties as the City may require and approve to the amount of one hundred percent (100%) of the contract price for the faithful performance of this contract.

The Contractor shall be responsible to the City for the acts and omissions of all persons, firms or corporations directly or indirectly employed by him in connection with the work.

Neither this contract nor any interest therein shall be assigned or transferred by the Contractor without the consent of the City nor shall any part of the work be sub-let without the consent of the City.

The contract price for the work shall be the price set forth in the proposal attached hereto and made a part hereof, to-wit:

TOTAL CONTRACT PRICE:           \$990,000.00

The unit prices for determining variations from the contract price for extra work or work less than that stated in said contract are as follows: actual amount payable shall be equal to \$0.055/gallon removed/applied pursuant to the contract.

IN WITNESS WHEREOF, the said Contractor has caused this contract to be executed and said City has caused this contract to be executed by its Mayor and City Recorder pursuant to the action of the Common Council of said City.

In the Presence of:

CITY OF AUSTIN

\_\_\_\_\_  
Witness

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

\_\_\_\_\_  
Witness

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

\_\_\_\_\_  
Witness

OYER TRUCKING & PUMPING, LLC

By: Ordean Oyer  
Ordean Oyer, Its President

\_\_\_\_\_  
Witness

**RESOLUTION NO.**

**Resolution Authorizing Biosolids Removal Agreement with  
Oyer Trucking & Pumping, LLC**

**WHEREAS**, the City Council has received a proposal from Oyer Trucking & Pumping, LLC, to enter into a contract with the City of Austin for the removal of Biosolids.

**NOW THEREFORE, BE IT RESOLVED** that the Austin City Council approves the contract with Oyer Trucking & Pumping, LLC for 2025 and 2026. A copy of the contract is attached hereto.

Passed by a vote of yeas and nays this 21st day of April, 2025.

YEAS

NAYS

ATTEST:

APPROVED:

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

\_\_\_\_\_  
Mayor

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



Craig Clark  
 City Administrator  
 507-437-9941  
 craig@ci.austin.mn.us

## MEMORANDUM

TO: Mayor and City Council

FROM: Craig Clark, City Administrator

DATE: April 1, 2025

RE: Draft Employee Recognition Policy

The attached Draft Employee Recognition Policy outlines a formalized program to acknowledge the service, dedication, and achievements of City of Austin employees. This program builds on practices we have already implemented while introducing new elements to enhance our workplace culture. The policy has been vetted by our Employee Enhancement Team and reviewed by Department Heads.

### Highlights:

- Formalization of Existing Practices
  - Monthly employee anniversary announcements have been taking place at Council meetings since early 2024.
  - The annual employee recognition meal, currently represented by our employee picnic, is also included as a continued tradition within the policy.
  - Retirement recognition includes public Council acknowledgment and plaque
- New Additions
  - Milestone anniversary recognition begins at 5 years of service, in 5-year increments, and includes:
    - A certificate of appreciation
    - Invitation to a semi-annual celebration; discussed as a meet & greet with the Mayor and City Council.
    - A credit through the City's online store (ranging from \$50 to \$225 based on years of service)
  - Annual employee gifts and expanded employee recognition events further reinforce appreciation and engagement. The employee gift was given in 2024 and was well received by the employees.

The policy applies to all full-time and permanent part-time employees and is designed to support morale, retention, and a positive organizational culture. The Human Resources Department will oversee administration and budgeting, and the Council retains authority to amend or suspend the program based on fiscal considerations.

Please review the attached draft and provide feedback as we move toward formal adoption.

# Employee Recognition Policy

## Purpose

The City of Austin recognizes the hard work, dedication, and service performed by the employees of the City of Austin and has adopted a formal Employee Recognition Program.

## Policy

This Employee Recognition Policy aims to foster a positive work environment by acknowledging employees' contributions and commitment to the City.

The City Council believes that this policy serves a public purpose as the benefits of attracting, retaining, and motivating employees through an Employee Recognition Program supports job satisfaction, which in turn impacts cooperation, productivity, and the maintenance of the City's obligations to its citizens.

The program and recognition given to employees is established as part of additional compensation for work performed by the employees.

## Scope

This policy applies to all fulltime and permanent part-time employees of the City of Austin. Seasonal and casual part-time employees are not eligible for this recognition program, unless specifically noted.

## Monthly Employee Anniversaries

To celebrate ongoing service, employee anniversaries will be announced at City Council meetings each month.

## Milestone Employee Anniversaries

Employees with milestone anniversaries, will be recognized for years of service starting at 5 years and will receive recognition in 5-year increments until retirement or the end of their service. The following will occur at each 5-year increment:

- Recognized and invited to a semi-annual celebration organized by the City.
- Receive a certificate of appreciation.
- Receive credit towards purchase of City of Austin clothing item through the "on-line" store in the following increments:
  - 5 years of service – \$ 50 credit
  - 10 years of service – \$ 75 credit
  - 15 years of service – \$100 credit
  - 20 years of service – \$125 credit
  - 25 years of service – \$150 credit
  - 30 years of service – \$175 credit
  - 35 years of service – \$200 credit
  - 40 years of service – \$225 credit

## Retirement Recognition

Employees retiring, in good standing, from City service will receive special recognition, including:

- A plaque honoring their years of service.

- Formal in-person recognition and acknowledgment at a City Council meeting. Employees may opt out of the in-person public recognition, if they prefer.
- Employee recognition and announcement at a City Council meeting, for those who opt out of in-person public recognition.

The department head, supervisor or other designee, may organize a gathering to recognize the employee's retirement. A cake or similar item may be purchased for this gathering, and will be paid for out of the employee recognition budgeted line item.

#### Personal Milestone Events

Employee personal milestone events such as a wedding, birth of a child, loss of a loved one, etc., are acknowledged and recognized as important by the City. However, no City funds shall be used for the purpose of purchasing gifts, flowers or other similar items for these events. Employees are encouraged to take up a collection when it is deemed appropriate to provide a gift to an employee in acknowledgment of a significant life event.

#### Annual Employee Recognition Events

Each year, the City will host city-wide employee gatherings to promote camaraderie and express appreciation for employee dedication. At least one of these events will include a meal for all employees and is an opportunity for leadership to express appreciation for staff contributions. The events aim to foster a sense of community, boost morale, and reinforce the City's commitment to employee well-being. All employees who are employed at the time of the events, including seasonal employees, are eligible to attend the recognition events.

#### Annual Employee Recognition Gift

Each year, the City will provide an employee recognition gift to all eligible employees as a token of appreciation. The Employee Engagement Team will assist in the selection of the gift.

#### Administration & Funding

The Human Resources Department will oversee the Employee Recognition Program. The Employee Recognition Program will be budgeted annually as part of the City's financial planning process. The budget will include funds for milestone awards, annual recognition gifts, and employee events. The City Council may elect to adjust, suspend, or discontinue this program at any time if financial constraints make it necessary.

#### Policy Amendments

This policy may be reviewed and updated by the City Council as needed to align with budget considerations and organizational priorities.

No provisions of this policy, or its administration, shall be subject to review under the grievance or arbitration provisions of any collective bargaining agreement.

**RESOLUTION NO.**

**ADOPTING UPDATES TO THE EMPLOYEE RECOGNITION POLICY**

WHEREAS, the City of Austin would like to adopt updates to the Employee Recognition Policy. The Council would retain the authority to amend or suspend the program based on fiscal considerations.

NOW, THEREFORE, BE IT RESOLVED, that the Austin City Council approves the updates to the Employee Recognition Policy.

Passed by the Austin City Council this 21st day of April, 2025.

YEAS

NAYS

ATTEST:

APPROVED:

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

\_\_\_\_\_  
Mayor



AUSTIN AREA  
COMMISSION  
FOR THE ARTS

March 24, 2025

Craig Clark  
City Administrator  
City of Austin  
500 Fourth Avenue N.E.  
Austin, MN 55912-3773

Dear Craig:

Per our previous email correspondence, I am writing to formally request that an item be placed on the agenda for the work session following the city council meeting on Monday, April 7, 2025.

Pursuant to proposed work to the sidewalk at the main entrance to the Historic Paramount Theatre and related to the overall renovation and addition project currently underway, Austin Area Arts respectfully requests that the City of Austin consider splitting the cost of said work.

The proposed ADA modifications to the Paramount front entry will require a re-work and bump-out of the curb. According to the attached quote from our general contractor, The Joseph Company, the total cost of this project will be \$93,000. So, our request of the city is to cover \$46,500 of this cost. Time is of the essence on the request since completion of this work would coincide with our hosting of the ArtWorks Festival the weekend of August 23-24 which will also include a soft opening of the Paramount.

Could you please let us know if our presence is requested at the meeting on April 7<sup>th</sup>?

Thank you.

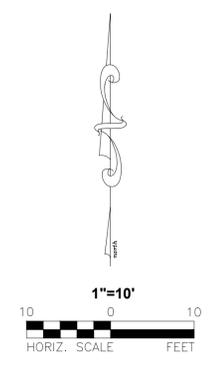
Sincerely,

Thomas J. Robbins  
Executive Director





- PROPERTY LINE TYP.
- REMOVE EXISTING SIDEWALK & CURB & GUTTER WHERE SHOWN AS HATCHED
- EXISTING GUTTER/PAVEMENT ELEVATION TYP.
- REMOVE EXISTING STORM INLET & PLUG STORM SEWER
- EXISTING CROSSWALK STRIPING TYP.



I hereby certify that this plan, specification, or report was prepared by me, or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Bridan J. Johnson  
Reg. No. 42744      Date: 1/24/25

515 South Washington Ave. Albert Lea, MN 56737-4876



**PARAMOUNT THEATRE**

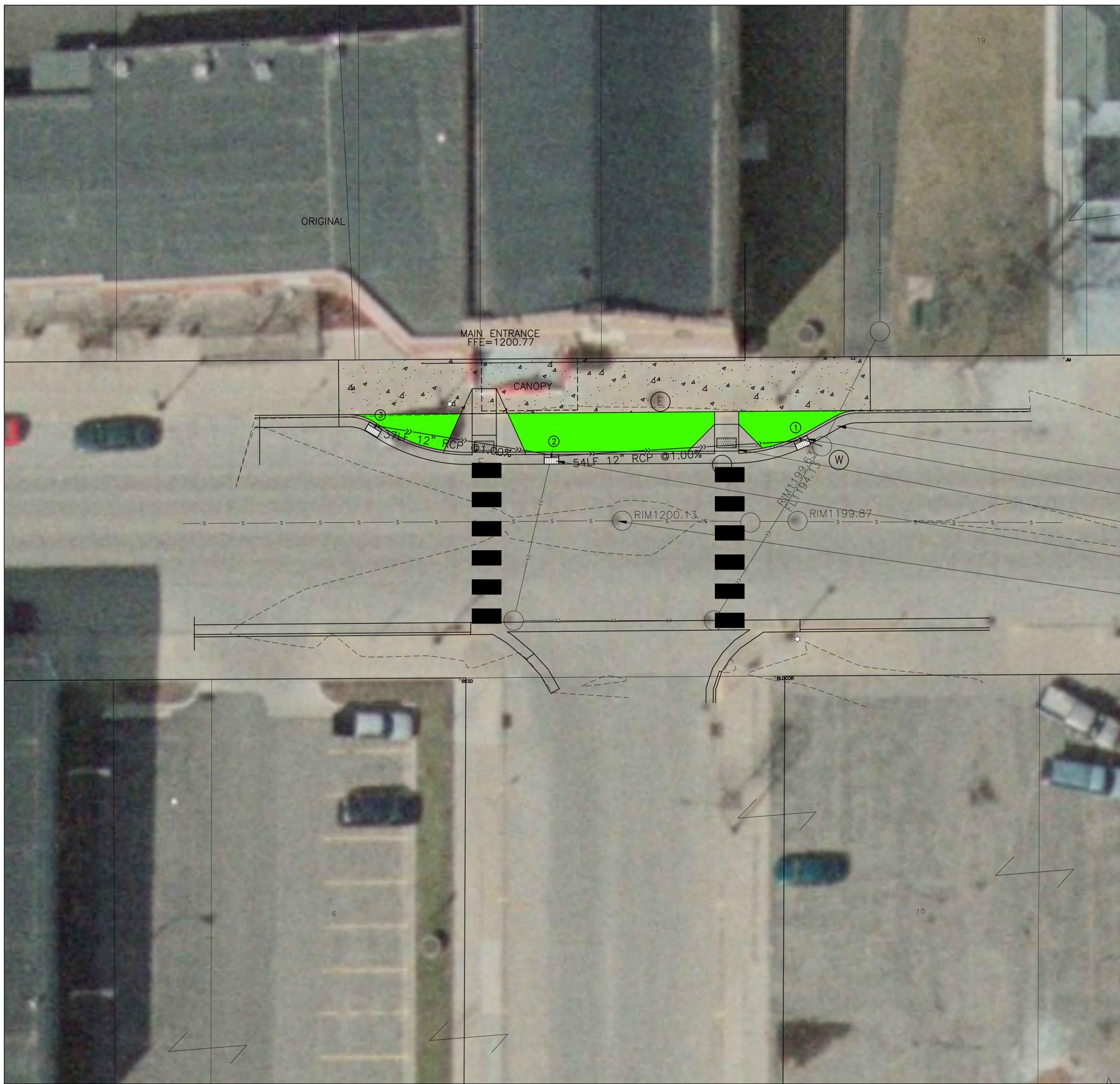
Project:

Revision:

No.:	Date: 1/24/2025
Drawn: <b>bjj</b>	Checked:
Project Manager:	
Project Status: <b>CD</b>	
Sheet Title:	

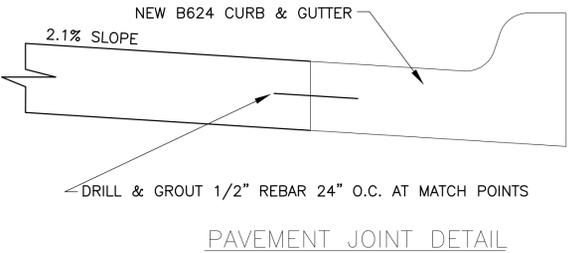
**EXISTING CONDITIONS**

Sheet No.: **C2**



STORM SEWER STRUCTURE SCHEDULE						
NO.	RIM EL.	INVERT EL.	HEIGHT	CASTING	DESIGN	REMARKS
1	1199.55	1195.15	4.40	R3067	2X3	CONNECT TO EXISTING MANHOLE
2	1199.45	1195.69	3.76	R3067	2X3	
3	1199.68	1196.06	3.62	R3067	2X3	

- NEW CONCRETE CURB & GUTTER TYP.
- F&I NEW 2X3 STORM INLET W/ R3067 CASTING—SEE STRUCTURE SCHEDULE FOR MORE INFORMATION
- 2'X4' DETECTABLE LANDING DEVICE TYP.
- F&I NEW 2X3 STORM INLET W/ R3067 CASTING—SEE STRUCTURE SCHEDULE FOR MORE INFORMATION. SAND FILL & BULK HEAD EXISTING 8" STORM SOUT ACROSS 4TH AVE.
- NEW PAINTED CROSS WALK BARS (3'X6') SPACED AT 3' INTERVALS INSTALLED BY THE CITY OF AUSTIN



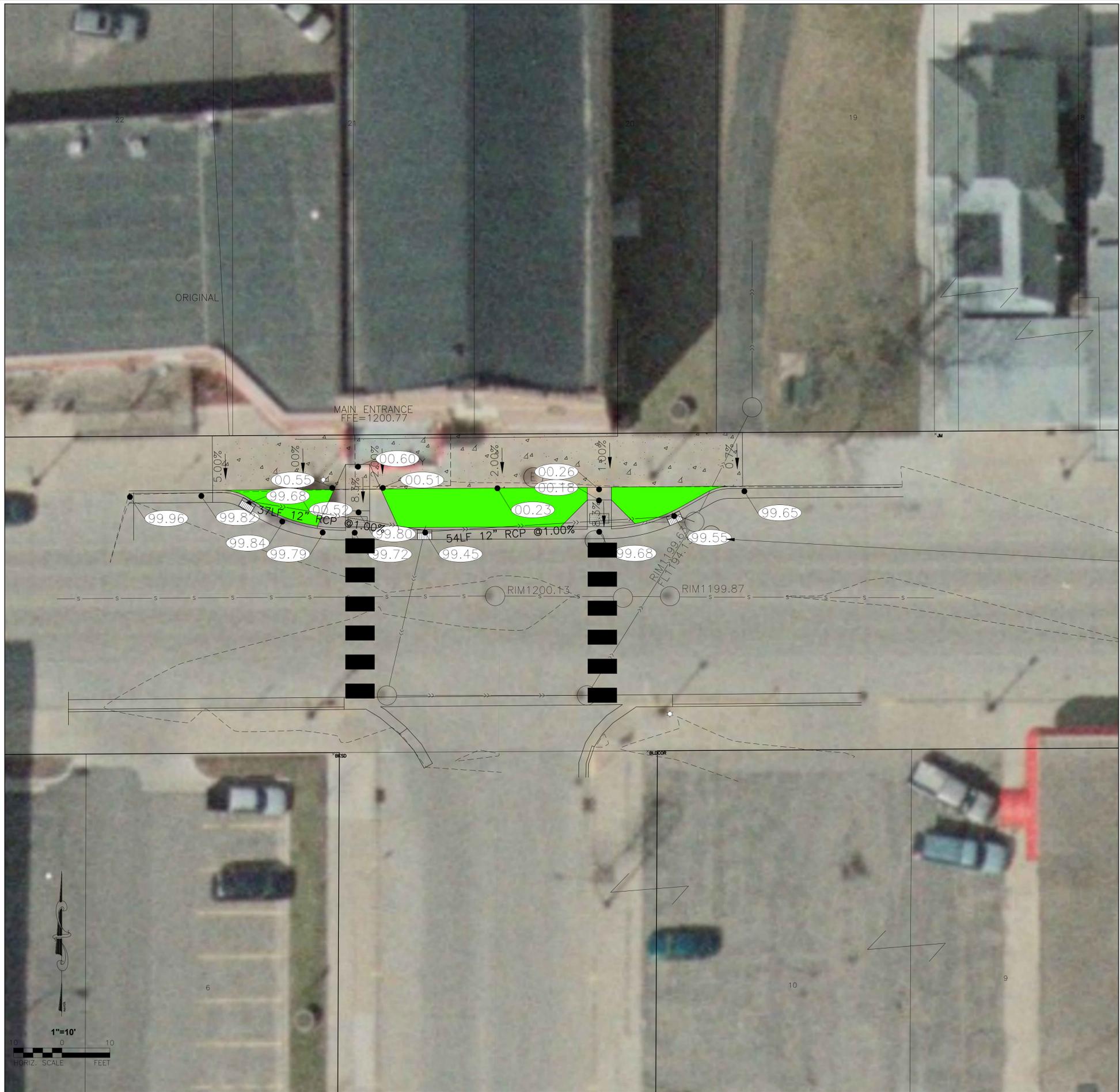
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.  
 Brian J. Johnson  
 Reg. No. 42744  
 Date: 1/24/25



**PARAMOUNT THEATRE**

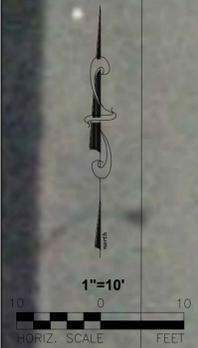
No.:                      Date: 1/24/2025  
 Drawn: **bij**              Checked:  
 Project Manager:  
 Project Status: **CD**  
 Sheet Title:  
**HARDSCAPE & UTILITY PLAN**

Sheet No.: **C3**



PROPOSED PAVEMENT/GUTTER ELEVATION TYP.

NOTE: COORDINATE ALL LANE SHIFTS/TRAFFIC CONTROL W/ CITY OF AUSTIN  
 COMPLY WITH MN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION  
 LANE CLOSURES TO ONLY OCCUR AS NEEDED FOR CONCRETE/MATERIAL DELIVERY  
 PROVIDE SIDEWALK CLOSURE SIGNAGE WHENEVER SIDEWALK IS NOT PASSABLE  
 OR OPEN TO THE PUBLIC



I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota.  
 Brian J. Johnson  
 Reg. No. 42754 Date: 1/24/25



Consultant:

**PARAMOUNT  
THEATRE**

Project:

Revision:

No.: Date: 1/24/2025

Drawn: bjj Checked:

Project Manager:

Project Status: CD

Sheet Title:

**GRADING PLAN**

Sheet No.:

**C4**

March 21, 2024

Austin Area Arts  
Attn: Tom Robbins  
300 North Main Street  
Austin MN 55912

RE: Paramount Theatre – Front Entrance Accessibility Modifications

Tom:

We propose a lump sum price of **\$93,000** to complete the work associated with the front entry accessibility modifications as detailed in the civil drawings produced by Jones Haugh Smith (JHS) dated 1/24/25 (see attached). See list of inclusions below:

**Inclusions**

- All design, engineering, permitting, layout / staking, testing and supervision associated with the work.
- Coordination with City of Austin
- Site demolition and removals
- Site utilities
- Traffic control
- New concrete sidewalk, pedestrian ramps, boulevard, paving, reinforcing and truncated domes.

Please note that this has been priced separately from the main project as a lump sum. Therefore, our project labor rates and any other time and material costs associated with the scope of work outline above will NOT be applied to or billed within the main project.

Thank you again for considering Joseph for this project. Feel free to call me on my cell (507-438-1585) if you have any further questions.



Patrick Wagner  
The Joseph Company

3/21/25

Date

**RESOLUTION NO.**

**AUTHORIZING FUNDS FROM CONTINGENCY FOR THE PARAMOUNT THEATER**

**WHEREAS**, the City of Austin has entered into an agreement with the Paramount Theater for services provided by the Joseph Company, who will be responsible for overseeing the ADA modifications; and

**WHEREAS** the agreement calls for the City to contribute \$46,500 for said services related to ADA modifications to the Paramount Theater. This includes construction work on the front entry and will include re-work and bumpout of the curb.

**NOW, THEREFORE, BE IT RESOLVED**, that City Council of the City of Austin approves the agreement and shall provide funding from the contingency fund in the amount of \$46,500 to the Paramount Theater for the construction costs.

Passed by the Austin City Council this 21st day of April 2025.

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 Lang  
**Date:** March 31, 2025  
**Subject:** North Main Street, temporary bump outs

In the fall of 2022, Council reviewed options for the downtown signal lights on North Main Street. Below is a table summarizing Council direction for the Main Street signals:

## Summary

Intersection	Traffic Control Options	Cost	Warranted in 2042	Public Opinion	Decision
N Main Street & 4 <sup>th</sup> Avenue NW	4-Way Stop	\$150,000	Warranted	42%	4-way stop 6-0
	Traffic Signal (Current)	\$450,000	Warranted	58%	
N Main Street & 2 <sup>nd</sup> Avenue NW	2-Way Stop (Recommended)	\$150,000	N/A	--	2-way stop 6-0
	4-Way Stop	\$150,000	Not Warranted	--	
	Traffic Signal (Current)	\$450,000	Not Warranted	--	

Following this decision, the signal lights were placed in flashing red mode making them a 4-way stop until a project could be planned to complete the necessary upgrades.

**North Main Street & 4<sup>th</sup> Avenue (looking north)**



**2<sup>nd</sup> Avenue & North Main Street (looking east)**



The proposed project would include the following:

- Signal light removal and street light upgrades
- Pedestrian bump outs with upgraded ped ramps
- Drainage modifications
- Stop sign installation closer to the driving lane for improved visibility
- The project is currently identified in the CIP for construction in 2029.

We have received multiple complaints about the signals in the flashing red mode. They are in poor visual condition and the flashing red condition makes it seem as though they are broken. On that note, the signal light at 4<sup>th</sup> Avenue has stopped working and a 4-way stop sign has been placed in the center of the intersection for the past few months.

We feel that a better temporary installation would be the removal of the signal lights and replacement with delineators and stop signs. Shown below are examples of bump outs using delineators and samples of upgraded stop signs for the downtown area.





The estimated cost is \$7,000 for the stop signs and delineators. We have additional funding available in the citywide street name sign and stop sign improvement project to cover this cost. We would request Council approval for the downtown stop signs and temporary bump out upgrades.



RESOLUTION NO.

ACCEPTING DONATIONS TO THE CITY OF AUSTIN

WHEREAS, the City has received the following gifts:

<u>Gift</u>	<u>Donor</u>	<u>For</u>
\$ 50	Holly Wallace	2025 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 April, 2025.

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

March 18<sup>th</sup>, 2025

Victor Toscano  
506 6<sup>th</sup> Ave SW  
Austin, MN 55912

RE: Zoning Violations at 506 6<sup>th</sup> Ave SW Austin, MN 55912

Dear Victor:

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 17<sup>th</sup>, 2025 at this site and the following issues need to be resolved:

**Remove all junk from property- carpet & carpet pad**

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

City of Austin  
Zoning Department



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

## Memorandum

**To:** Mayor and City Council

**Cc:** Victor Toscano, 506 6<sup>th</sup> Ave SW, Austin, MN 55912

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

**Re:** Accumulation of Refuse and Junk  
At 506 6<sup>th</sup> Ave SW, Toscano Property

**Date:** April 17, 2025

---

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 506 6<sup>th</sup> Ave SW. The property owner has been notified of this violation to the City Code Sections 10.14 Subd.1(B), 10.14 Subd.4-6 but has failed to resolve this issue. (See Attached)

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

Thank you.



April 16, 2025  
10:43 AM

506 6th Ave SW

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

April 4<sup>th</sup>, 2025

Maria Neri  
1011 7<sup>th</sup> Ave NE  
Austin, MN 55912

RE: Zoning Violations at 408 2<sup>nd</sup> St SE Austin, MN 55912

Dear Maria:

The City of Austin Planning and Zoning Department has observed on April 4<sup>th</sup>, 2025 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
3. Temporary storage of vehicle permitted for a seven-month period of time in side or rear yards

The violation of Austin City Code Sections 10.14 and 10.33 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.

**City Code Section 10.33 Subd.F**

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

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

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

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

A. Vehicle outside parking shall be accessory to the permitted primary use of the property, and vehicles parked on a property must be owned by a licensed resident of the property except as follows:

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

1. Two currently registered passenger vehicles registered to the licensed owner/occupant of the residence may be parked in the rear or side yard areas.

2. In addition to currently registered passenger vehicles, two recreational vehicles may be temporarily stored in the rear yard. If a recreational vehicle is of a type which is required to be registered, it must be currently registered.
3. 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.
4. J. If a front line of a lot is bordered by an alley or public right of way as in the case of a through lot, no off-driveway parking shall be permitted in that adjacent yard area.

**City Code Section 10.33 Subd. 4.** *Procedure on violations.* Any violation of this section is declared to be a nuisance. Upon ten days written notice to the owner of private premises on which such vehicle is found, as shown by the records in the office of the City Zoning Office or by the placarding of said vehicle, the city may remove the vehicle and certify the cost of such removal as any other special assessment.

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

City of Austin  
Zoning Department



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

## Memorandum

**To:** Mayor and City Council

**Cc:** Maria Neri, 1011 7<sup>th</sup> Ave NE, Austin, MN 55912

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

**Re:** Accumulation of Refuse and Junk  
At 408 2<sup>nd</sup> St SE, Neri Property

**Date:** April 17, 2025

---

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 408 2<sup>nd</sup> St 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.



April 16, 2025  
10:22 AM

408 2nd St SE



April 16, 2025  
10:22 AM

408

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

April 4<sup>th</sup>, 2025

Raygor Homes LLC  
302 Wedgewood Rd  
Albert Lea, MN 56007

Dan Raygor  
725 Reichels Q Circle  
Stewartville, MN 55976

RE: Zoning Violations at 406 2<sup>nd</sup> St SE Austin, MN 55912

Dear Sir or Madam:

The City of Austin Planning and Zoning Department has observed on April 4<sup>th</sup>, 2025 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 and 10.33 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;

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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.

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3. 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.
4. J. If a front line of a lot is bordered by an alley or public right of way as in the case of a through lot, no off-driveway parking shall be permitted in that adjacent yard area.

**City Code Section 10.33 Subd. 4.** *Procedure on violations.* Any violation of this section is declared to be a nuisance. Upon ten days written notice to the owner of private premises on which such vehicle is found, as shown by the records in the office of the City Zoning Office or by the placarding of said vehicle, the city may remove the vehicle and certify the cost of such removal as any other special assessment.

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.

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Sincerely,



Brent Johnson  
Zoning Inspector

City of Austin  
Zoning Department



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Austin, Minnesota 55912-3773  
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[www.ci.austin.mn.us](http://www.ci.austin.mn.us)

## Memorandum

**To:** Mayor and City Council

**Cc:** Raygor Homes LLC, 302 Wedgewood Rd, Albert Lea, MN 56007

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

**Re:** Accumulation of Refuse and Junk  
At 406 2<sup>nd</sup> St SE, Raygor Property

**Date:** April 17, 2025

---

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 406 2<sup>nd</sup> St 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.



April 16, 2025  
10:19 AM

406 2nd St SE



April 16, 2025  
10:22 AM

406