

MINUTES
COMMON COUNCIL CHARTER MEETING
MARCH 5, 2001
5:30 P.M.
COUNCIL CHAMBERS

MEMBERS PRESENT: Mayor Rietz, Council Member-at-Large Chaffee, Council Members Goodnature, Jorgenson, Christopherson, Poppe, Nordin and Lang.

MEMBERS ABSENT: None.

OTHERS PRESENT: News media. Jake and Sue Martin. Glen Monson. Merrillyn Berg. Fran Skinness. Jeffery Dahn.

Several items added to the agenda: a resolution setting the city attorney's 2001 salary; a resolution authorizing and approving the hourly wage rate and terms for part-time firefighters; a resolution to act on the consultant fee for assessment analysis and report for the fire department; approval for a taxicab license; and an approval for a taxicab operator's license.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Nordin, adopting the agenda. Carried.

Moved by Council Member Jorgenson, seconded by Council Member Nordin, approving the minutes of February 20, 2001. Carried.

Jake Martin, 9-year-old son of Sue and Glen Martin, was honored by the mayor and fire chief for helping to save his father's life. Sue Martin also spoke on the importance of fire education; Jake retrieved a retired firefighter neighbor remembering his fire education in the effort to save his father's life during an asthma attack.

Glen Monson, convener of the Austin Area Interfaith Disaster Response, gave a final report on the group's work following last spring's flood. The group is now in dormancy, but it is now in place and ready to act in the event of another disaster.

The Certificate of Achievement Award for Excellence in Financial Reporting was awarded to the City of Austin and presented to Merrillyn Berg of the Finance Department.

Fran Skinness, 2001 11th Avenue NE, said the City is wasting \$100,000 with the "umpteenth" flood study, when there is no money to be given out. Mr. Skinness said that the City should solve the flood problem in other ways rather than just moving houses. City Engineer Jon Erichson said the Council has passed a resolution for the Corps of Engineers

to do a study. There is a tentative public meeting set for March 29th. Mr. Erichson said that these studies always look at the benefit-to-cost ratio. The best results have been with acquisition; in other words, the government does have criteria for where they spend funds. Costs of construction have gone up so a structural solution to flooding has probably lessened.

Mr. Skinness then asked about the sanitary sewer lines in the Dobbins Crest area, saying the lines are high and his are tremendously slow at times. He wondered if they were frozen. City Engineer Jon Erichson said they could go check the lines the next day; however, the problem sounded like it is from Skinness' service to the lines and he should call a plumber. Mr. Erichson said there had been a lot of backing up of sewer lines after the July 10th flood. The lines were televised with no structural defects noted. In the last 10 days, the area from Dobbins Creek to the Nature Center has been televised again. Mr. Erichson also noted that the lift station was lifted at Dobbins Creek.

Mr. Skinness spoke to Council regarding protecting the Nature Center. Concerned citizens are now looking at buying 55 acres around the Nature Center. Mr. Skinness noted that the Council was never willing to do this before, but the Council does need to look at the matter. Park and Rec Director Denny Maschka said that the Park and Rec Board, Council Park and Rec Committee and Friends of the Nature Center have met to look at the future (expansion) of the Nature Center. The group would like to expand directly to the north and directly west, adjacent to the Nature Center, rather than across the road. Mr. Maschka said this is in a very preliminary stage.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Nordin, approving the consent agenda as follows:

Licenses:

Food: CC&S, Inc. dba Subway, 1401 4th Street NW
Subzero, Inc. dba Subway, 910 W. Oakland Ave.
Midwest Theatres Corp. dba CineMagic 7 Theatres, 1301 18th Ave. NW
Bueno Management, Inc. dba Taco John's, 308 W. Oakland
Constantine Lecakis dba Arcade, 107 4th Avenue NE
Theatre: Midwest Theatres Corp. dba CineMagic 7 Theatres, 1301 18th Ave. NW
Master Plumber: James McDermott & Sons, Inc., 1105 24th Avenue
M.J. O'Connor, Inc., PO Box 606
Sign: Tri-State Outdoor Media, PO Box 1247, Tifton, Georgia
Excavation: Mike Carstens Plumbing & Heating; RR 1, Box 177, Glenville
Pool Table: Constantine Lecakis dba Arcade, 107 4th Avenue NE
Cigarette: Constantine Lecakis dba Arcade, 107 4th Avenue NE

Claims:

- a. Pre-list of bills.
- b. Property of Christine Stiehm, 405 3rd Street SE. This claim has been referred to the City Attorney to protect the City's interest.

- c. Property of Lynae Mims, 1401 12th Street SW. This claim has been referred to the City Attorney to protect the City's interest.
- d. Elders Flanders, 2005 5th Avenue SE. This claim has been referred to the City Attorney to protect the City's interest.

Carried.

The Ordinance Committee recommended the approval for a taxicab license and taxicab operator's license for Jeffery Dahn dba AB Taxi.

Council Member Lang made a motion to approve the taxicab license upon the recommendation of the Ordinance Committee.

Council Member Poppe, saying she was the lone 'no' vote in committee, said she had concerns about the driving record and was looking to follow Chief Philipp's recommendation, but she also said that that Austin certainly needs a taxi service.

Moved by Council Member Lang, seconded by Council Member Goodnature, to approve the taxicab license. Carried.

Moved by Council Member Lang, seconded by Council Member Christopherson, to approve the taxicab operator's license. Carried.

Mr. Dahn will be starting his business Thursday, March 7. He is the sole operator at present.

City Engineer Jon Erichson is proposing an increase in the length of time for parking from 2 hours to 4 hours for the parking lot north of the Courthouse. This will allow extended parking for employees at the Courthouse. Council Member Goodnature said he owns a business that is next to this parking lot. He estimates that by 9:00 a.m., 25-30% of the parking lot is full. His fear is if this extended parking is allowed, the parking lot will be 50-75% full by then. He said his is a service-oriented business; he needs a close spot for loading of computers. Chamber of Commerce Director Sandy Forstner said the Chamber is supportive of the extended parking time, but is concerned that the parking lot will become a Courthouse parking lot. Mr. Forstner asked if it is possible to label some parking spaces for reserved parking. Mr. Erichson said this proposal is not only for the Courthouse. Council Member-at-Large Chaffee said the City has been working on this problem for a long time and will continue looking for space in other lots. Council Member Lang asked if it was a violation to use the fire lane for parking and if it was necessary to have the fire lane. Fire Chief Dan Wilson said the fire lane is not entirely for transportation; it provides another egress to the building with access to the back doors. Council Member Lang asked if the lane could be used for a no parking/loading zone. Chief Wilson said that it is state law that a fire lane should not be used for any type of parking. The fire lane is designated by the fire chief. Chief Wilson said he has looked at the situation before but would want to review it again. City Engineer Jon Erichson said if

this was not a possibility, perhaps the City could do something to designate access, such as stripe painting. Council Member Jorgenson said this solution should be given some time to see what happens. Council Member Poppe asked if they could designate some spaces for individual businesses. Mr. Erichson said the City could lease spaces as in other areas: the Nemitz parking lot has 7 spaces, Austin Drug has 10 – 12, the old library lot has 33, and the south half of the Methodist parking lot has 16 lots. The policy has been to save the closer lots for the customers and the further lots for the businesses. Council Member Poppe said some businesses are service-oriented, needing closer access. Council Member Lang objected to this idea saying the small businessman will have another added cost where there was none before. Council Member Jorgenson asked if the City has spaces designated for loading only. Mr. Erichson said the City has had these in the past but does not currently have any; the ordinances on this would have to be checked.

Moved by Council Member Christopherson, seconded by Council Member Nordin, to approve the extended parking time with review after six months. Carried. Council Member Goodnature and Poppe voting nay.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Jorgenson, adopting a resolution setting a public hearing for March 19 for rezoning of property from an R-1 Single Family Residence District to an R-2 Multi Family Residence District, Southgate Second Addition. 7-0. Carried.

Moved by Council Member Poppe, seconded by Council Member Christopherson, setting a public hearing for March 19 for a preliminary plat of property to be known as *Lickteig 2nd Addition*. Carried.

Moved by Council Member Christopherson, seconded by Council Member Nordin, setting a public hearing for March 19 for an amendment to the Austin Comprehensive Plan pursuant to Minn., State Statute 462.355, Subd. 2. Carried.

Moved by Council Member Poppe, seconded by Council Member Christopherson, setting a public hearing for an amendment to an existing conditional use permit requested by Faith Evangelical Free Church. Carried.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Lang, adopting a resolution approving the city attorney's 2001 salary effective January 1, 2001 with a 3% increase to \$66,996.80. 7-0. Carried.

The Fire Committee has approved the new hourly wage rate and terms for part-time firefighters, effective March 5, 2001. The hourly wage rate for part-time paid on-call firefighters will be \$12.50 per hour for time spent on response to paged calls and \$12.50 per hour for time spent for training time approved by the fire chief. There will be a \$10.00 compensation for part-time personnel who sleep at the fire station during nighttime hours. In addition to the \$10.00 per night compensation, a part-time paid on-call firefighter at the fire station on approved night sleepover will be paid \$12.50 per hour

for a paged call. These rates and compensation will be effective 12:01 a.m. on March 5, 2001.

Moved by Council Member Poppe, seconded by Council Member Jorgenson, adopting the aforesaid resolution. 6-0. Council Member Christopherson abstained.

City Administrator Patrick McGarvey said the Fire Committee will interview 3, possibly 4 consultants the next day and next Monday for assessment, analysis and report on the communication situation within the fire department. Council has the option to grant the Fire Committee the power to act to choose the consultant or the Council may vote at the next council meeting. The Finance Committee has given approval for the consultant to be paid from the current operating budget – approximately \$10,00 from the contingency account or from the fire department’s operating budget if any money is left at the end of this year. Council Member Lang said he thought there was a resolution, policy or motion made denying the power to act. City Attorney David Hoversten said he could not give an opinion; he didn’t remember. Council Member Lang said the seven council members were elected and should be able to vote on all issues, especially on a very strong issue. He would want to exercise his power to vote. Council Member Poppe respectively disagreed saying this is just a matter of moving ahead with this, then invited all council members and the public to attend the interviews. Council Member Christopherson also said he would not like to see the Fire Committee gain the power to act, saying he has earned the right to vote. Council Member-at-Large Chaffee said he would approve of the power to act. Council Member Lang said that protocol has said that committees recommend to Council, and why is government in so much of a hurry? Council Member Poppe said that after this lengthy discussion, she is willing to drop the request of the power to act due to the opposition and because the committee may want the extra time for following up on the candidates, background checks, etc. Council Member Nordin said she thought the whole council should vote.

Moved by Council Member Poppe, seconded by Council Member Jorgenson, to approve the consultant fee for the fire department, funds to come from the 2001 contingency account. Carried.

REPORTS:

No HRA report.

No DCA report.

CVB: The CVB’s annual meeting has been postponed to Friday, March 16. A bicycle meeting was set for March 21 at 5:15 p.m.

A finance committee meeting was set for Monday, March 19 at 4:00 p.m.

The fire committee will meet for consultant interviews at 3:30 and 5:00 on Tuesday, March 6 and at 3:30 and 4:30 on Monday, March 12.

A public meeting to discuss flooding with the Army Corps of Engineers is set for Tuesday, March 27 at 4:30 p.m.

The public works committee will meet on Thursday, March 15 at 4:30.

There will be a water management seminar on Thursday, March 8 at the Ruby Rupner Auditorium.

City Recorder/Treasurer Tom Dankert gave a brief overview of Governor Ventura's proposed tax plan. (Homestead and Agricultural Credit Aid) HACA would be eliminated. Local Government Aid (LGA) would be increased to offset some of the losses from HACA. This could potentially cause the city to raise its tax levy up to 45%. Good news for the city for taxpayers is that the State would take over the school general education levy. The tax increment districts would realize deficit balances as we could no longer receive the school district's portion of the local levy; however, a \$60 million fund is proposed to be set up to cover the deficits. We still don't know the impact in future years.

City Administrator Pat McGarvey said the Coalition of Greater Minnesota Cities (CGMC) which is made up of 60 of the larger outstate cities will meet the next day to clarify its position on the governor's tax plan.

The Council will close its meeting to the public to discuss a confidential personnel matter.

Mayor Rietz reminded Council of the work session scheduled for Thursday, March 8 to discuss the effectiveness of a council.

There will be a town meeting at 6:30 Thursday, March 8 at the library sponsored by The Welcome Center on changes in our community and Community Circles.

Mayor Rietz announced that the Initiative Fund and Blandin awarded \$2000 to our Blandin community for Apex Austin.

Mayor Rietz also announced the birth of a baby girl to Council Member Pete Christopherson and his wife Diane.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Nordin to close the meeting at 6:47 p.m..

Moved by Council Member-at-Large Chaffee, seconded by Council Member Nordin, to re-open the meeting.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Poppe, to adjourn the meeting to Monday, March 19, 2001.

Adjourned: 7:06 p.m.

Approved: March 19, 2001

Mayor: _____

City Recorder: _____