

**MINUTES**  
**COMMON COUNCIL ADJOURNED MEETING**  
**DECEMBER 20, 1999**  
**5:30 P.M.**  
**COUNCIL CHAMBERS**

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Public. Cindy Lohn and Community Circle members; Austin Post Bulletin; Austin Daily Herald; Ric Berg, Silver Bullet; Todd Penske, Sherry Dostal and Mark Tamke, Bresnan Communications, George Brophy, public.

Items added to the agenda: Claim from Theissen Vending Company; resolution approving the Mutual Agreement and Release regarding the Fourth Avenue crossing and the Bike Trail underpass; resolution approving the City Administrator 2000 salary.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Jorgenson, approving the agenda. Carried.

Moved by Council Member Poppe, seconded by Council Member Nordin, approving the Truth in Taxation Minutes of November 29, 1999 and Council Minutes of December 6, 1999. Carried.

Cindy Lohn of Community Circle spoke to Council on immigration and diversity in Austin. The group was formed of long term and new residents and met each week in November. It was the consensus that the need for transitional housing more than long term housing is most needed. Jennifer Edwards also reported to Council on the need for an ombudsperson or a central office where, perhaps, a private, impartial person could resolve problems. Ms. Edwards also spoke on the need for welfare. Miguel Garate suggested to Council that free Spanish classes should be offered and signs stating 'Spanish spoken here' could be placed in windows and storefronts of businesses. Georgette Hinkle said that Community Circle provided friendship and education and would like to see it continue. Ms. Hinkle also suggested a citywide diversity week and fellowship meals. Council Member Poppe stated that Community Circle has been sponsored by the League of Women Voters and hopes to continue to do so. The original group has had a closed-door policy but new groups would allow all to participate. Council Member Fedson suggested a liaison from Council; Mayor Rietz said the Council will talk about this at the upcoming retreat. Mayor Rietz also stated that a copy of the Community Circle's letter will be sent to the co-chairs of the newly formed APEX Austin.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Nordin, approving the consent agenda (License renewal list attached). Carried.

Moved by Council Member Poppe, seconded by Council Member Nordin, adopting a resolution extending a vote of appreciation to Todd Penske for his dedicated service as Second Ward Council Member for the City of Austin. 6-0. Carried.

City Administrator Patrick McGarvey discussed the transfer of control of Bresnan Telecommunications Company LLC to Charter Communications Holding Company, LLC. The transfer is expected to be completed approximately in February. Sherry Dostal, General Manager, assured Council that the cable company will be a tier one franchise under the direction of Paul Allen with his "wired world system" concept. The company put \$1M into the system during the last year and will continue to upgrade, mentioning Internet service in particular.

Moved by Council Member Fedson, seconded by Council Member Nordin, adopting the resolution. 6-0. Carried.

A public hearing to modify Municipal Development District No. 1, certain HRA projects and establish tax increment financing district No. 11, and the tax increment financing plan relating thereto will be set for March 6, if adopted. Prior to the hearing, documents will be sent to the School Board, the County Board, and the City Council regarding size, goals, process, etc. of the TIF district plan.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Jorgenson, adopting a resolution to set the hearing. 5-1. Council Member Lang voting nay.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Jorgenson, approving the Mayor's appointments to various boards, commissions and committees. Carried.

Moved by Council Member Nordin, seconded by Council Member Jorgenson, adopting a resolution setting the dates and times for the City Council regular meetings in the year 2000. 6-0. Carried.

Moved by Council Member Poppe, seconded by Council Member Jorgenson, granting year 2000 licenses for sale of on-sale hard liquor, 3.2 beer on and off-sale, Sunday hard liquor on-sale and Sunday wine on-sale. 5-0. Council Member Lang abstaining.

City Engineer Jon Erichson recommended that the sewer rates for 2000 would remain at the 1999 level.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Jorgenson, approving the sewer rate for 2000. Carried.

Since rates were not increased, no action was required on the Maplevue rate structure for 2000.

A final resolution for the vacation of a portion of 1<sup>st</sup> Avenue SW for Sterling Drug expansion was presented to Council. City Engineer Jon Erichson stated that with the vacation, construction will commence to relocate Sterling Drug to the old Elden's location. A one-way for the alley was initially presented at a public meeting with some opposition so that idea was dropped.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Nordin, adopting a final resolution for the vacation. 6-0. Carried.

In July of 1999, the City of Austin was awarded a \$50,000 matching fund grant from the Mn DNR for construction of the Nature Center trail link which would connect the Nature Center with the Todd Park Trail. City Engineer Jon Erichson said an exact route has not been decided, but 12<sup>th</sup> Avenue is a possibility. The project must be completed by 2002.

Moved by Council Member Nordin, seconded by Council Member Lang, adopting a resolution approving a resolution and requesting a feasibility report. 6-0. Carried.

Council was presented an Agreement with the DCA for provides for quarterly payments totaling \$85,000. Council Member Poppe noted the agreement before the Council had been slightly changed, and requested the agreement have the additional wording.

Moved by Council Member Lang, seconded by Council Member Fedson, approving the agreement. Carried.

City Administrator Pat McGarvey presented a Purchase Agreement with Ric Berg for the Silver Bullet bar on Fourth Avenue NE (Lots 7 & 8, Block 29) at \$70,000 purchase price.. This is in accordance with the T.I.F. No. 10 plan adopted on July 19, 1999. The purchase agreement is in lieu of relocation and includes interior/fixtures. Funds to cover the \$70,000 will (eventually) come from the T.I.F. No. 10 bond sale which is expected to be covered by the tax increment forthcoming from the former K-Mart building on North Main Street. If approved, closing will be before the end of the year. The liquor license will come back to the City Clerk's office.

Moved by Council Member Lang, seconded by Council Member-at-Large Chaffee, adopting a resolution approving the Purchase Agreement. 6-0. Carried.

Moved by Council Member Lang, seconded by Council Member Nordin, adopting a resolution setting hearing on the remaining proposed assessment. 6-0. Carried. This hearing will be for those property owners who have withdrawn their objections.

Moved by Council Member Fedson, seconded by Council Member Poppe, adopting a resolution approving the mileage reimbursement rate of 32.5¢ per mile effective January 1, 2000. 6-0. Carried.

Council Finance/Personnel Committee has approved an 8% increase across the board for insurance costs to keep up with rising insurance rates. Not affected is the \$25 employee contribution.

Moved by Council Member Poppe, seconded by Council Member Jorgenson, adopting a resolution approving the health insurance rate structure. 6-0. Carried.

Council was presented a joint resolution, orderly annexation and purchase agreement involving property owned by Burt Plehal at a future development site north of C.S.A.H. 27 (18<sup>th</sup> Avenue NW) and adjacent to 8<sup>th</sup> Street NW.

Moved by Council Member Jorgenson, seconded by Council Member Fedson, adopting a joint resolution agreement between Township of Lansing and the City of Austin. 6-0. Carried.

Moved by Council Member Nordin, seconded by Council Member Jorgenson, adopting a resolution of orderly annexation for this same parcel. 6-0. Carried.

The purchase agreement for the parcel described is for future transportation plans in a future development site which would begin construction in the next year. The parcel is currently owned by Burt Plehal and the purchase price is \$94,500. The City of Austin will draft the Development Agreement and all properties will be vacated, zoning changed to appropriate zoning, and soil analyses made. An orderly annexation must be petitioned for by the seller. The closing date on the sale is set for March 31, 2000.

Moved by Council Member Jorgenson, seconded by Council Member Poppe, adopting a resolution approving the purchase agreement of the above described parcel. 6-0. Carried.

The Soo Line (I & M Rail Link) and the City of Austin have come to an agreement regarding the Fourth Avenue crossing and the Bike Trail underpass. The Agreement and Release involves dropping 4<sup>th</sup> Avenue extension between 10<sup>th</sup> and 11<sup>th</sup> Street Northeast. Council Member Lang asked Jon Erichson if after the land would be useable after it is developed. Mr. Erichson said that it would.

Moved by Council Member Lang, seconded by Council Member-at-Large Chaffee, adopting a resolution approving the Agreement. 6-0. Carried.

Moved by Council Member Poppe, seconded by Council Member Nordin, adopting a resolution to raise the City Administrator's salary to \$77,600 + \$2,400 mileage allowance, a 5.45% increase. 6-0. Carried.

Minutes of 12-20-99

Ordinance Meeting set for Wednesday, December 29, 1999 immediately following the Special Council Meeting at 4:30 p.m.

Moved by Council Member Lang, seconded by Council Member Poppe, removing "Review staff patterns and levels" under Finance/Personnel Committee. Carried.

Moved by Council Member Lang, seconded by Council Member Nordin, removing "Bad sidewalks" under Streets, Sidewalks, Curb, Highways Committee. Carried.

Reports:

CVB: Council Member Jorgenson reported that lodging tax has increased 8-9% in the last month. Hormel Foundation has given the CVB \$4,000 for a new trade show booth.

Street Committee Meeting set for Wednesday, January 5 at 4:30 p.m.

A Special Port Authority Meeting has been set for Monday, January 3 at 4:30 p.m. for the Wagner/Plehal land transaction.

Special City Council set for Wednesday, December 29 at 4:30 p.m. to approve the dasherboard bids from the Mighty Ducks Grant.

Library Director Chris McArdle-Rojo announced a Cultural Chinese sword program for Wednesday, December 29 at 2:00 p.m. at the library.

Moved by Council Member Jorgenson, seconded by Council Member Nordin, to adjourn.

Adjourned: 6:37 p.m.

Approved: \_\_\_\_\_

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

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