

MINUTES
COMMON COUNCIL CHARTER MEETING
October 7, 2002
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: Media. Public. Dick Pacholl. Vaughn 'Spud' Bothun. Jeff Kritzer. Robert Knauer. Holly LaVallie. Officer John Mueller.

The following changes were made to the council agenda: Item No. 18, Motion granting the Planning and Zoning Department the power to contract for the removal of junk at 601 – 21st Avenue NW, was changed to read “. . . 601 – 21st Avenue NW”.

The following additions were added to the council agenda: 1) Motion approving entire \$3,440.69 back to the U.A.W. for benefit costs for 2002-2004 contract negotiations, and requesting that only four people be waived on benefit costs for the 2004 labor negotiations; 2) Motion approving \$400 from Contingency Line Item for purchase of pictures of former mayors to be placed on the city website; 3) Resolution approving an employment contract with the Finance Director for 2002-2003; and 4) Resolution approving an employment contract with the City Administrator for 2002-2003.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Jorgenson, adopting the agenda as amended. Carried.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Nordin, approving the council minutes of September 16, 2002. Carried.

Holly LaVallie, Director of the Convention and Visitors Bureau, updated Council on the CVB. Since the opening of the Spam Museum, the CVB has booked 150 group tours, “group tours” being defined as a group of twenty or more people and visiting two or more sites in Austin. Over two hundred groups have toured the museum. Ms. LaVallie said these groups have brought in over \$25,000 to area restaurants through August, and this amount reflects only those bills which the CVB pays. In addition, these group tours have spent over \$10,000 in area attractions. Ms. LaVallie noted the Freedom Fest in the Heartland was named one of the top festivals by the Minnesota Tourism office.

Moved by Council Member Jorgenson, seconded by Council Member Nordin, approving the consent agenda as follows:

Licenses:

Sign: Schad Tracy Signs, PO Box 357, Oronoco, MN

Food: McDonalds, 1400 14th Street NW

Cab driver: Phillip Musel, 1402 6th Street SE

Claims:

- a. Pre-list of bills.
- b. Thomas Frankson, 1005 – 17th Street SW. This claim has been referred to the city attorney to protect the city's interest.
- c. Harriet Iverson, 22042 586 Ave. This claim has been referred to the city attorney to protect the city's interest.
- d. Randal Laskawitz, 300 2nd Street SE. This claim has been referred to the city attorney to protect the city's interest.
- e. Tyler Hoban, 702 2nd Avenue NE. This claim has been referred to the city attorney to protect the city's interest.

Carried.

Bids were taken on October 4, 2002 for building demolition and well capping for the airport extension project. Seven bids were received; the low bid came in under \$60,000. The State requires the DBE (Disadvantaged Business Enterprise) goal of 5%; the City is waiting on verification from the State with respect to the city's compliance on the bid offer; therefore, City Engineer Jon Erichson will present bids at the to October 21st council meeting.

The Park and Recreation Committee has reviewed the cost of clean-up and set-up for non-ice events at Riverside Arena. Revenue for these events does not meet the cost of these services. Park and Rec Director Denny Maschka said the recommendation of the Committee is to raise the rental fee from \$850 to \$1000, plus add a refundable deposit of \$500 for damages to the building or equipment. Council Member Poppe asked when the last time these rates were increased. Mr. Maschka noted that the rates have not increased since he has worked for the city. Council Member Jorgenson asked if the damage deposit is a new addition. Mr. Maschka said yes, it is.

Moved by Council Member Nordin, seconded by Council Member Christopherson, approving the rental rate for non-ice events at Riverside Arena. Carried.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Nordin, adopting a resolution setting a hearing for November 4, 2002 on proposed assessments for sidewalk improvements, Projects 2-A-02, 3-A-02, 5-A-02, 6-A-02, and 5-A-01; sanitary sewer and water services, Project 6-A-97; and snow removal. 7-0. Carried.

The Public Works Committee has reviewed the leaf collection sites as approved by Council on September 3, 2002. The Committee has reviewed restoring the 3rd Avenue/21st Street site for two weekends, October 19-20 and October 26-27. Two weekends was the recommendation as this is a smaller site than the others, plus the fairgrounds is nearby. City Engineer Jon Erichson said these sites would be reviewed again next year.

Moved by Council Member Christopherson, seconded by Council Member Nordin, approving the 3rd Avenue/21st Street leaf collection site for two weekends, October 19-20 and October 26-27. Carried.

The Minnesota Department of Public Safety has requested a lease agreement with the City for use of a portion of the Todd Park north diamond parking lot to be used as a motorcycle skill test course.

Moved by Council Member Nordin, seconded by Council Member-at-Large Chaffee, adopting a resolution approving the agreement. 7-0. Carried.

Moved by Council Member Jorgenson, seconded by Council Member Christopherson, setting a public hearing with the Board of Adjustments and Appeals for October 21, 2002 for a 5.6% variance from the minimum 20% green space to be provided for properties located within a B-2 Community Business District, requested by J.R.S., Inc. and A.A. Austin, L.L.C. Carried.

Council previously approved a resolution authorizing issuance of \$1,220,000 General Obligation Improvement Bonds, Series 2002A. State Statutes have changed requiring the council to pass a different resolution.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Jorgenson, adopting a resolution authorizing the city to proceed under Minnesota Statutes, Chapter 429 for Improvements relating to \$1,220,000 General Obligation Improvement Bonds, Series 2002A. 7-0. Carried.

Director of Administrative Services Tom Dankert requested Council approve the refunding of two TIF and some G.O. Improvement Bonds at lower interest rates. Estimated savings to the city for issuance and sale of the \$990,000 G.O. Improvement Refunding Bonds, Series 2002B is \$367,000; for issuance and sale of the \$1,590,000 G.O. Tax Increment Refunding Bonds, Series 2002C is \$155,800; and for issuance and sale of \$1,200,000 Taxable General Obligation Tax Increment Refunding Bonds, Series 2002D is \$208,530.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Jorgenson, adopting a resolution authorizing issuance and sale of \$990,000 G.O. Improvement Refunding Bonds, Series 2002B. 7-0. Carried.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Nordin, adopting a resolution authorizing issuance and sale of \$1,590,000 G.O. Tax Increment Refunding Bonds, Series 2002C. 7-0. Carried.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Jorgenson, adopting a resolution authorizing issuance and sale of \$1,200,000 G.O. Tax Increment Refunding Bonds, Series 2002D. 7-0

Community Development Director Craig Hoium requested Council authorize the Planning and Zoning Department to proceed with the necessary steps for the demolition of substandard structures located at 129 – 1st Avenue NW and 104 West Oakland Avenue, owned by Robert Knauer. These structures are an old smokehouse and an old horse stable and are legally described as Lots 6 and 11, Block 5, Davidson Addition. The department has received numerous complaints regarding these structures, and the owner has failed to resolve the structural deficiencies after numerous discussions with Mr. Hoium. If Council approves this action, Mr. Knauer would still have 30 days to remove the structures. Council Member Poppe said the structures could have “historical significance to some degree” and thought the Historical Society or grant monies could be involved to move them. Mr. Hoium added that there is a possibility of making corrections and that he would be willing to meet with whomever would make these corrections. Mr. Hoium stressed that he did receive a number of calls, and the matter is important to address. Robert Knauer addressed Council and said he has made numerous phone calls to construction people; he is currently waiting on a cost estimate. He said that in 1950 the horse stable settled at an angle but has not moved since then. He thought it would take 30 to 60 days to get an estimate. Mr. Knauer noted that the smokehouse is an Austin landmark.

Moved by Council Member Lang, seconded by Council Member Jorgenson, tabling the matter for 60 days. Carried.

Council Member Poppe asked if this motion referred to both structures. Council Member Lang replied yes, it did.

Mr. Hoium asked if this motion meant approval of the resolution after 60 days or just tabling the matter. Council Member Lang said the motion meant just tabling for 60 days.

Council Member Goodnature agreed with Council Member Lang, noting one goal of the Council’s is for the preservation and growth of downtown Austin.

Community Development Director Craig Hoium requested Council to authorize the Planning and Zoning Department to proceed with the necessary steps for the demolition of substandard structures located at 501 6th Avenue SE and owned by Dana Miller. This building is a rental property with a deteriorating foundation, exterior walls and roof. This property is legally described as Lot 1 to River, Block 1, Oak Park Addition. Numerous

complaints have been made to the Planning and Zoning Department regarding this substandard detached garage, and the owner has failed to have it fixed or demolished.

Moved by Council Member Lang, seconded by Council Member Nordin, adopting a resolution approving demolition of a hazardous building at 501 6th Avenue SE. 7-0. Carried.

Moved by Council Member Jorgenson, seconded by Council Member Christopherson, granting the Planning and Zoning Department the power to contract for the removal of junk at 601 – 21st Avenue NW, Grace Ann Trowbridge property. Carried.

Moved by Council Member Poppe, seconded by Council Member Christopherson, granting the Planning and Zoning Department the power to contract for the removal of junk at 1205 – 9th Avenue SW, Jose and Iris Travino property. Carried.

The Finance/Personnel Committee has reviewed charges that the City billed the UAW Local 867 for wages and benefit costs the Employer paid for eleven participants involved in the 2002 – 2004 contract negotiations. The Committee recommended reimbursing for the entire benefits portion of the bill. Council Member Poppe noted that there should be more clarification as to the expectations of each party with succeeding negotiations.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Lang, approving the reimbursement for benefits cost to the UAW Local 867. Carried.

The Finance/Personnel Committee reviewed a request from Mayor Rietz for purchasing pictures of former mayors and other historical pictures to be transferred into the city website. The Committee has approved up to \$400 for this project.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Lang, approving the funding. Carried.

The Finance/Personnel Committee gave a performance evaluation and reviewed an employment agreement for years 2002-2003 for Tom Dankert.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Christopherson, adopting a resolution approving the agreement. 7-0. Carried.

The Finance/Personnel Committee has given a performance evaluation and reviewed an employment agreement for years 2002 – 2003 for Patrick McGarvey.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Jorgenson, adopting a resolution approving the agreement. 7-0. Carried.

REPORTS:

The HRA will meet for their regularly scheduled monthly meeting at 4:30 on October 9.

The Community Relations Committee will meet at 4:30 on October 14 to discuss compliance checks on tobacco and alcohol sales. Kristen Lindbloom of the Parenting Resource Center will attend the meeting and present possible solutions.

The Bicycle Committee will meet at 4:30 on October 15.

Council Member Jorgenson asked if there is a solution to the so-called “thumper cars”. Council Member Lang said this matter is difficult. There is an ordinance in place. Thumper cars are often gone by the time a call is made into the police department. Citizens should take down licenses and/or report where the perpetrators live. Mr. Lang said Police Chief Paul Philipp is on top of this matter. He receives numerous calls. Officer John Mueller said people turn down the noise when they see a white car with lights on top. He added that the revised noise ordinance has been helpful to catch these people.

Council Member Nordin said the Park and Rec Board has renamed ‘Community Park’ to ‘Bandshell Community Park’.

Council Member Nordin said December 2 is the target date for the completion of the Packer Arena. Construction is moving along; the geothermal system is currently being put in place. October 12 is the target date for the completion of the work at Riverside Arena; however, the locker rooms will not be ready then.

There has been vandalism at Veterans Pavilion. The Park and Rec Board is looking into ideas for solutions to this which include locking restrooms at night and gating the entrances.

Council Member Nordin noted that with the flood buyouts, more land has been needed to be mowed by the Park and Rec Department. The Department will need additional employees in the future for this added work.

Council Member Nordin presented Mayor and Council an award from the Hormel Institute, which was given to her at their recent open house.

The Public Works Committee will interview architects for the Central Garage project on Wednesday at 4:00.

The City-County Committee meeting will meet on October 9 at 3:15 at the HRA, followed by the HRA Board at 4:30.

A Finance/Personnel Committee meeting was set for October 21, 2002 at 3:30.

Fire Chief Dan Wilson said the Fire Station will have its Open House on Wednesday at 4:00 – 8:00. Sparky will make an appearance. Also, a double feature on fire prevention will be playing at the Paramount Theatre on Wednesday evening.

Library Director Chris McArdle said that through a state contract, SELCO will have online access to 5,000 more books. A class will be offered Tuesday, October 26 to learn how to use this system.

City Administrator Pat McGarvey announced his resignation effective April 30, 2003.

The Finance/Personnel Committee will begin its search for a new city administrator with Brimeyer Group, Inc. at its next meeting.

The Council and Mayor will be ringing the Salvation Army bell on December 5.

Mayor Rietz announced the candidate forum scheduled for Tuesday, October 8 at 7:00.

The Mayor, Chief of Police, the Ordinance Chair and City Attorney will be meeting to discuss compliance checks on alcohol and tobacco sales via ordinance. Mr. Hoversten will discuss the legal aspects.

Mayor Rietz requested an update on 18th Avenue NW. City Engineer Jon Erichson said the city has little to do with this project. The contact person is Mike Hanson, County Engineer, who can be reached at 437-7718. Mr. Erichson said the weather has not been favorable the last two weeks; the weather needs to stay very nice for another six weeks. The City will receive an update on this project at this week's City-County meeting.

Moved by Council Member-at-Large Chaffee, seconded by Council Member Jorgenson, to adjourn the meeting to October 21, 2002.

Adjourned: 6:43 p.m.

Approved: October 21, 2002

Mayor: _____

City Recorder: _____