

MINUTES
CITY COUNCIL CHARTER MEETING
July 5, 2005
5:30 P.M.
Council Chambers

MEMBERS PRESENT: Mayor Rietz. Council Members McAlister, Jorgenson, Dick Pacholl, Nordin, Scott Pacholl and Hecimovich. Council Member-at-Large Christopherson.

MEMBERS ABSENT: None.

OTHERS PRESENT: Post Bulletin and Austin Daily Herald. Emily Anderson, Dan Ruroden, Jacob Stockwell. Tonya Novak and Mary Morgan from Austin Eye Clinic. Tracy Plunkett, director of the Hormel Historic Home. Michael and Carol Hodnefield.

Item No. 12 was removed from the agenda.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, approving the agenda as amended. Carried.

Minutes of 6-6-05 on page 9 were amended to read: *Council Member Jorgenson questioned if the 12th Street SW project is a city project. Assistant City Engineer said this is a state project between Oakland Avenue and Turtle Creek.* Minutes of 6-20-05 on page 1 were amended to read: *Moved by Council Member Jorgenson, seconded by Council Member Hecimovich, to table to July 5th approval of the council minutes of June 6, 2005.*

Moved by Council Member Jorgenson, seconded by Council Member Hecimovich, approving the minutes of June 6, 2005 and June 20, 2005. Carried.

New police officers Dan Ruroden, Jacob Stockwell and Emily Anderson were introduced to Council.

WWII Veteran Kermit Thomas presented to the City WWII photos of the Japanese surrender, along with a document releasing prisoners.

The Spamtown USA Freedom Fest Art Award was won by Sally Gerhart. Ms. Gerhart presented her painting "The Oakland Avenue Bridges" to the City. She won the award in 1988, the first year of the contest with a painting of the Mill Pond area, and she won in 1993 with a painting of Skinner's Hill. Ms. Gerhart will receive a cash award and the painting will be displayed in City Hall.

City Engineer Jon Erichson conducted a survey after some downtown businesses have complained of the two-hour parking limit. Four responses came back: two in favor and two against. Tonya Novak and Mary Morgan, employees of the Austin Eye Clinic, said the parking at the clinic is very limited and they require longer parking. Tracy Plunkett, director of the Hormel Historic Home, said most of their events are 1-4 hours, few are less than two hours so the two-hour parking limits every activity.

Mr. Erichson said there is another alternative, which is courtesy parking. Patrons of a business would need to obtain a permit after logging in at the business. This system was developed a number of years ago but is not well used. It is available for all downtown businesses, but it is not conducive for large groups.

Mayor Rietz requested Chief Paul Philipp, City Engineer Jon Erichson and representatives from the businesses meet to discuss this. Mr. Erichson noted that this area is affected by the high school, too. The students would be the first to park there in the morning. Mayor Rietz requested a representative from the high school be present at the meeting.

Council Member Dick Pacholl said he would like to see full council's input.

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

Licenses:

Mobile Food: Jodi Rabideau dba Smart Shakes, 701 12th Avenue NW

Temporary gambling (pull tabs): Austin Jaycees @ Mower Co Fairgrounds, Aug. 9-13

Claims:

- a. Pre-list of bills.
- b. Grace V. Lorimor, 3705 6th Place SW. This claim has been referred to the city attorney to protect the city's interest.
- c. Vicki Fisher, 800 9th Street SW. This claim has been referred to the city attorney to protect the city's interest.
- d. Steve Hedrick, 1005 8th Avenue SW. This claim has been referred to the city attorney to protect the city's interest.
- e. Jody Grimm, 200 1st Avenue NE, Apt 911A. This claim has been referred to the city attorney to protect the city's interest.
- f. Sarah Schmick, 54037 421st Street. This claim has been referred to the city attorney to protect the city's interest.

Carried.

At the last work session, an ordinance was proposed which would amend the liquor ordinance to allow delivery of intoxicating liquor by licensed off-sale liquor stores. This ordinance has been prompted by a professional delivery service business which recently started. Delivery of alcohol is not approved by our current ordinance although it has

customarily been done. The committee-of-the-whole has recommended passage of the draft ordinance, which allows delivery under certain conditions.

Council Member Dick Pacholl said he contacted several liquor stores who were all in favor of the draft ordinance. He said this is good protection for *them*.

Council Member Nordin requested delivery receipt checks. She is concerned with underage people obtaining alcohol.

Moved by Council Member Pacholl, seconded by Council Member Hecimovich, for the city attorney to prepare the ordinance.

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

Michael and Carol Hodnefield, 410 8th Avenue SE, have appealed the denial of a fence request. The Hodnefields would like to build a 6-foot-high fence in the corner side yard area.

Community Development Director Craig Hoium said he had a concern with possible obstruction of eastbound traffic on 8th Avenue. Neighbors have been notified, but the Zoning Department has not received any calls.

Council Member Dick Pacholl asked how far in would the fence be placed. Mr. Hodnefield said he would like to go right to the front of his property.

Council Member Jorgenson questioned if the concern is traffic looking south. Mr. Hoium said it was.

Council Member Hecimovich asked Mr. Hoium about the possible safety issue. Mr. Hoium said his concern is with pedestrian and vehicles. He added that it is a “plus” that the driveway is on 8th Avenue. He said it would be an advantage of Mr. Hodnefield would consider starting the fence at the southeast corner. Mr. Hodnefield said he is 75 feet from the floodplain; this will help the community, too.

Council Member-at-Large Christopherson questioned how far the building is from the street. Mr. Hodnefield said it was approximately 17½ feet.

Mr. Hoium said the fence request is in connection with Mr. Hodnefield’s plans to build a deck in the rear yard. This would create privacy from 4th Street.

Moved by Council Member Jorgenson, seconded by Council Member McAlister, approving the appeal with an amended plan to place the fence starting at the southeast corner of the house.

Council Member Dick Pacholl suggested an angled fence – 6-foot high. Mr. Hodnefield said he would rather not angle the fence for aesthetic reasons.

Motion had been made and seconded. Motion carried.

Moved by Council Member Nordin, seconded by Council Member Hecimovich, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1706 1st Street NE, Hammel property. Carried.

Moved by Council Member Nordin, seconded by Council Member Hecimovich, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 913 2nd Avenue NE, Calderon property. Carried.

City Engineer Jon Erichson requested Council approve a routine maintenance agreement for T.H. 105. The area includes 12th Street SW to Turtle Creek and Oakland Avenue from 12th Street to I-90. The City would be responsible for all maintenance. The City will receive payment in the same amount for six consecutive years with no increase.

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

Police Chief Paul Philipp requests Council approve an indemnity agreement with Mower County for the use of the Austin Police Shooting Range for use by officers of the Mower County Sheriff's Office.

Captain Curt Rude said this shooting range is getting to be state-of-the-art for training, and it would behoove the police officers and sheriffs to train together.

Council Member McAlister clarified that this agreement covers times when the County is training by themselves, not jointly with the city police officers.

Moved by Council Member Hecimovich, seconded by Council Member Jorgenson, adopting a resolution approving the indemnity agreement with Mower County. Carried.

The Committee-of-the-Whole voted that all authorization of employee replacements be brought before the Council. Two replacements are requested tonight.

Moved by Council Member Jorgenson, seconded by Council Member Nordin, authorizing replacement for the senior engineering tech position. Carried.

Moved by Council Member Nordin, seconded by Council Member Jorgenson, authorizing replacement for the relief wastewater treatment operator. Carried.

REPORTS:

City Administrator Jim Hurm reminded Council of the budget work session scheduled for July 11. Prior to budget discussion, there will be a 15 to 20-minute update on progress of union negotiations.

Community Development Director Craig Hoium said there would be no Planning Commission meeting for July.

City Engineer Jon Erichson gave a mosquito spray update. Spraying was cancelled three times due to weather conditions. One spraying is completed. We are scheduled for three more sprayings.

The League of Mower County Cities is meeting in Brownsdale on July 20. This is the same day as the Regional Minnesota Cities meeting.

Council Members Hecimovich, Nordin and Christopherson gave positive comments on the Fourth of July activities.

Mayor Rietz reminded everyone that July 11 at 11:00 am is the time to remember our troops.

July 20 is the date for the city employee picnic.

Moved by Council Member Hecimovich, seconded by Council Member Jorgenson, adjourning the meeting to July 18, 2005.

Adjourned: 6:37 p.m.

Approved: July 18, 2005

Mayor: _____

City Recorder: _____