

MINUTES
CITY COUNCIL CHARTER MEETING
September 6, 2005
5:30 P.M.
Council Chambers

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Post Bulletin and Austin Daily. Rich Rech. Elaine Hansen. Pastor Glenn Monson.

Added to the agenda: Additional backup for Items No. 15 and 16, both Findings of Fact for rezoning of property. Also added to the agenda: A motion approving street closing for Main Street Project event on October 8th, and A resolution accepting FAA Grant Agreement for the Austin Municipal Airport for obstruction removal (relocation of the powerline).

Moved by Council Member Jorgenson, seconded by Council Member McAlister, approving the agenda as amended. Carried.

The minutes of 8-15-05 on page 6 were amended to include the aye votes for a voice vote to deny rezoning.

Moved by Council Member Dick Pacholl, seconded by Council Member Jorgenson, approving the council minutes of August 15, 2005 as amended.

Elaine Hansen, Director of the Mower County Red Cross, reported on the Red Cross' involvement in the hurricane disaster relief. Over 3 million meals have been served and several thousand people have been currently trained for disaster recovery. Locally, the Red Cross will be offering a series of training this Thursday, Friday and Saturday. Ms. Hansen said one volunteer from this area is currently in Wiggins, Mississippi.

Mayor Rietz said a benefit dinner for hurricane disaster relief is scheduled at the Knights of Columbus, 211 SE 1st Street, for tomorrow night, September 7th.

Rich Rech spoke to the Mayor and Council. He is organizing a concert fundraiser for hurricane relief to be held at the Paramount Theatre. This will be in conjunction with a live telethon. Mr. Rech is involving local area leaders and churches.

Pastor Glenn Monson, Convener of the Austin Area Interfaith Disaster Response, provided a written report and gave a verbal report on the disaster response from the flood of September 15, 2005. He also suggested that our city should consider adopting a coastal town which was affected by Hurricane Katrina. Pastor Monson would like to see an organized, focused response, rather than, for example, sending a bunch of clothes which would need to be sorted.

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

Licenses:

Excavation: Tru Green Irrigation: 86893 180th Street, Austin

Exempt Gambling: Friends of the J.C. Hormel Nature Center @ St. Edwards, Nov. 3

Temporary On-Sale Liquor: Friends of the J.C. Hormel Nature Center @ St. Edwards, Nov. 3

Temporary On-Sale Liquor: Austin Jaycees @ Mower Co Fairgrounds, October 1

Claims:

- a. Pre-list of bills.
- b. Austin Medical Center for Vincent Lee Kellner. This claim has been referred to the city attorney to protect the city's interest.
- c. KaSandra Huehn, 811 3rd Avenue NW. This claim has been referred to the city attorney to protect the city's interest.
- d. Peter Haag, 118 Renea Drive, St. Charles, MN. This claim has been referred to the city attorney to protect the city's interest.
- e. Luke May, 404 7th Place NW. This claim has been referred to the city attorney to protect the city's interest.
- f. Gail Lorenzen, 702 11th Avenue NW. This claim has been referred to the city attorney to protect the city's interest.

Carried.

The Promotions Committee for the Downtown Project is requesting a street closing downtown for a fundraiser October 8. The fundraiser has a two-fold purpose: to get people downtown and for the purpose of fundraising for the downtown project. This project was recently done successfully in Mason City.

Officer Dave McKichan is being recommended by Chief Paul Philipp for the newly created detective position. Dave has been an officer for more than eight years. He is a member of the Special Incidents Response Team and is a specially trained crime scene technician and meth lab expert. The Police Civil Service interviewed four candidates and Dave was the top candidate. He will receive his shield and begin duties on September 19.

Moved by Council Member Nordin, seconded by Council Member Jorgenson, approving the recommendation. 7-0. Carried.

A public hearing was held on a street improvement project for 10th Drive SE Sewer and Water. City Engineer Jon Erichson said this is one of many steps needed for annexation

requested by three property owners on 10th Drive SE. The Council has previously approved orderly annexation and the Austin Township has approved orderly annexation. The public hearing tonight is for ordering the improvement and for setting a hearing on proposed assessments.

No comments were heard.

Moved by Council Member Nordin, seconded by Council Member Jorgenson, adopting a resolution ordering improvement, approving plans and specifications and ordering advertisement for bids. 7-0. Carried.

Moved by Council Member Nordin, seconded by Council Member Hecimovich, adopting a resolution setting a public hearing on proposed assessments for approval of the assessment roll. 7-0. Carried.

The City Council must set its budget and tax levy by September 15 according to state law. The proposed tax levy is \$3,000,000. Finance Director Tom Dankert said this is a 7.91% increase over last year's tax levy, although 3% of this should be gained from new construction. This set amount can be lowered but it cannot be increased after September 15. The proposed budget is \$28,478,021, but Mr. Dankert said the budget may be "fine-tuned." The date of the truth in taxation public hearing has been scheduled for November 29, 2005 at 5:30 pm in Council Chambers. If this hearing must be continued, the date for the continuation has been scheduled for December 6, 2005 at 5:30 pm in Council Chambers.

Moved by Council Member Hecimovich, seconded by Council Member Jorgenson, adopting a resolution approving the proposed property tax levy and adopting a proposed budget for taxes payable in 2006. 7-0. Carried.

The HRA Board has approved its tax levy and budget for 2006. The proposed 2006-07 budget is \$140,174.

Moved by Council Member Jorgenson, seconded by Council Member Nordin, adopting a resolution approving the HRA budget for the fiscal year ending 9/30/06. 7-0. Carried.

The fall yard waste program is proposed and would duplicate the 2004 program. City Engineer Jon Erichson proposes the following:

- The Cook Farm would be the only City of Austin-sponsored site
- The site would be available from October 1 – November 13
- The site would be open 7 days a week from dawn to dusk
- The site would be limited to leaves, grass and plants from gardens, and
- Compost would be available to the public

Moved by Council Member Nordin, seconded by Council Member Jorgenson, approving the fall yard waste program. Carried.

The UAW Local 867 Street and Sewer Maintenance Departments would like to amend their contract to not contribute to the Post Retirement Healthcare Savings Plan through the Minnesota State Retirement System.

Moved by Council Member McAlister, seconded by Council Member Jorgenson, to adopt a resolution amending the UAW Local 867 contract. 7-0. Carried.

Moved by Council Member Nordin, seconded by Council Member Hecimovich, adopting a resolution providing for a public hearing in the matter of changing the use district. 7-0. Carried.

Council Member Dick Pacholl questioned where this rezoning would be. Community Development Director Craig Hoium said the rezoning request is west of the Spam Museum and north of the Austin Medical Center parking lot.

The City Engineer and Community Development Director have requested reimbursement for personal car mileage for out-of-town travel. The Attorney General has stated that the City cannot reimburse for both mileage to conferences and meetings for out-of-town and in-town travel. The City has agreed to a \$400 per month car allowance to compensate for personal vehicle use for city business.

Council Member Dick Pacholl questioned if these two city officials are using their own vehicles. He also asked if this offer is a cheaper solution. City Administrator Jim Hurm said the City Engineer and Community Development Director are currently using their own vehicles and that the offer is not necessarily a cheaper solution; it is mandated. Council Member Dick Pacholl questioned if this is part of their contract. Mr. Hurm said this is a Letter of Understanding, which would amend their contract.

City Attorney David Hoversten the City Council can close the meeting for the purpose of strategy with regards to negotiation, but any decision made must be done at a public meeting.

Moved by Council Member Hecimovich, seconded by Council Member Jorgenson, approving the Letter of Understanding. 6-0. 1 abstention. Council Member Gloria Nordin abstained.

James Rogne has petitioned for minor subdivision to accommodate a twinhome development. On August 9, the City Planning Commission approved a Conditional Land Use. A 15-day appeal allows for public comment, and no appeals have been received. The minor subdivision is the next step for this development. Community Development Director Craig Hoium said there should not be any objection as this development will be next to another townhome development. The development is in a residential area. The request includes all necessary easements.

Council Member Christopherson questioned if this is property owned by Plehal. Mr. Hoium answered that this is in The Meadows Addition, owned by David Hillier.

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

Community Development Director Craig Hoium presented Findings of Fact for the rezoning of an R-1 District to a B-2 District, which was requested and approved on August 15. The rezoning is in connection with a proposed Walmart Development. The property is owned by Red Cedar Properties. Mr. Hoium said approval of the Findings of Fact is typically done during the time of rezoning.

Moved by Council Member Jorgenson, seconded by Council Member Hecimovich, adopting a resolution approving the Findings of Fact for rezoning of the Red Cedar Property. 5-2. Council Members Dick Pacholl and Nordin voted nay.

Moved by Council Member Jorgenson, seconded by Council Member McAlister, adopting a resolution approving the Findings of Fact for rezoning of the Dolan property. 5-2. Council Member Dick Pacholl and Nordin voted nay.

The Mower Council for the Handicapped has requested an additional location – Straight Shot Pool Hall – for charitable gambling. City Recorder Tom Dankert said the organization is in compliance with local gambling ordinances, and he recommends approval.

Moved by Council Member Hecimovich, seconded by Council Member Jorgenson, adopting a resolution approving a gambling premises application for Mower Council for the Handicapped at Straight Shot Pool Hall, 407 N. Main Street. 7-0. Carried.

City Engineer Jon Erichson requested Council approve an FAA grant agreement for obstruction removal (relocation of the powerline) at the Austin Municipal Airport. The total estimated project cost is \$1,428,420, and the federal grant is for \$992,321 or 95% of \$1,044,548. We have applied for a state grant, which would cover the remaining cost at a 70/30 rate. If we receive the state grant, the City's cost of the project would be \$167,388.60 or approximately 11.7%. The City has let bids, but no offers came in. This job was bid a second time with one bid.

Moved by Council Member Nordin, seconded by Council Member Jorgenson, adopting a resolution approving the FAA grant agreement for relocation of the powerline at Austin Municipal Airport. 7-0. Carried.

REPORTS:

City Administrator Jim Hurm said we have received two checks from the Hormel Foundation: \$3000 for smoke detectors and \$10,000 for the Paramount Theatre.

Library Director Ann Hokanson said the Library Board and Friends of the Library are collaborating to publish a book for the sesquicentennial to be entitled *Austin Remembers*. This will be a book of true stories written by residents of remembrances of Austin of long ago and from the recent past.

City Engineer Jon Erichson said the project for which the grant application was approved tonight would start in the fall of 2006. He said the concrete for the runway would be completed this week; the runway is currently closed and expected to re-open late October.

Chief Paul Philipp said the City will have a preplanned disaster exercise later this month. This will involve one of the city's major employers with a full-scale large event later this month.

Council Member Dick Pacholl questioned the progress on the Gary Anderson property. Mr. Erichson said an offer has been made on the property, and an appraisal is in the process for his home. An offer may or may not make an offer on his home; the Engineering Department will look at the numbers.

Mayor Rietz reminded everyone that Sunday is September 11. The Family Support Group has asked for remembrance by area churches. A special church service will be held at St. Olaf.

The Council did not adjourn to closed session as the City has not heard a decision on the arbitration yet.

Moved by Council Member Nordin, seconded by Council Member Jorgenson, adjourning the meeting to September 19, 2005.

Adjourned: 6:37 p.m.

Approved: September 19, 2005

Mayor: _____

City Recorder: _____