

MINUTES
CITY COUNCIL ADJOURNED MEETING
MONDAY, DECEMBER 19, 2005
5:30 P.M.
COUNCIL CHAMBERS

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Austin Daily Herald. Austin Post Bulletin. Glenn Monson. Don Lenz, John Lorenz, and Dennis Boysen. Boy Scout Troop 113.

One item was added to the agenda: A resolution approving election equipment plan with Mower County. Carried.

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

Moved by Council Member Nordin, seconded by Council Member Hecimovich, approving the Truth In Taxation Minutes of November 29, 2005. Carried.

Mayor Rietz recognized Boy Scout Troop 113, who attended the meeting for their Citizenship badge.

Mayor Rietz noted seven employees who have retired in 2005. They are:

1. Park & Recreation Department; Larry Hofner; October 28, 1974 to January 14, 2005
2. Fire Department; Don Lenz; August 8, 1979 to March 15, 2005
3. Street Department; Duwayne Anderson; November 22, 1971 to April 29, 2005
4. Police Department; John Lorenz; May 27, 1981 to May 30, 2005
5. Street Department; Dennis Boysen; September 14 1981 to August 5, 2005
6. Fire Department; Ron Felten; October 5, 1989 to September 16, 2005
7. Bob Lau; Street Department; April 2, 1979 to September 30, 2005

Don Lenz, John Lorenz and Dennis Boysen were in attendance to receive their retirement plaques.

Viril Layton received a plaque from the AMCAT Board for his service on the same. He reported that the dialysis program is averaging 23 rides per week. This route is Hormel Foundation-funded. The transit system should have a positive balance at the end of this year and going into 2006. The state and federal governments are also going to be partially funding

the work routes. Mr. Layton encouraged Council to move forward and find a permanent home for AMCAT bus storage and office.

Pastor Glenn Monson reported on the Adopt-a-City program and his recent trip to Wiggins, Mississippi. This is a town 30 miles north of the Gulf Coast. Our medical center provided a trailer-full of gifts to their hospital of 145 employees, and an anonymous donor gave a car. They have removed 155,000 cubic yards of debris from the area, which cost \$4.3M. The current needs are with their school system as a number of students have gone into their schools from other devastated areas, and they have no way of accommodating all the students. Our school system has raised \$3000 for their schools. Our Rotary Club will also be raising funds for their Rotary Club, which has a golfing fundraiser to raise money for their senior prescription program and cannot do that this year.

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

Licenses:

Cab Driver: Scott Moen, 1005 1st Avenue SW.
2005 License Renewals (Copies of the complete list is available in Council Chambers.)

Claims:

- a. Financial and Investment Reports.
- b. Pre-list of Bills.
- c. Charles E. Jahren, 405 5th Avenue SE. This claim has been referred to the city attorney to protect the city's interest.
- d. DeLavina A. Buenzow, 344 E. Main St, Box 256, Hawkeye, Iowa. This claim has been referred to the city attorney to protect the city's interest.

A public hearing was held on the 5-year Capital Improvement Plan. This plan is for 2006-2010. Finance Director Tom Dankert made it clear that the SIRT vehicle is not included in the attached resolution. Council may approve the CIP, "as is" or with the vehicle added back into it.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, adopting a resolution approving the 5-Year Capital Improvement Plan (not including the SIRT vehicle). 7-0. Carried.

Council Member Dick Pacholl questioned whether the SIRT vehicle would be included separately, as was his understanding in the work session.

Moved by Council Member Nordin, seconded by Council Member Scott Pacholl, approving the 5-Year Capital Improvement Plan including the SIRT vehicle.

Council Member-at-Large Christopherson said he was not at all of the work session and was not privy to comments made. Chief Paul Philipp said this would be a city-county corroboration. The SIRT team would be made up of nine city officers, two city deputies and a county jailer as the EMT. Council Member-at-Large Christopherson noted his concern that if the City is paying

for this, it shouldn't be leaving the City of Austin. Mayor Rietz said the County could contract for the use of the vehicle. Council Member-at-Large Christopherson said he would still like to see the County fund part of this vehicle. Chief Philipp said a flat rate would have to be determined.

Roll call was taken. 6-1. Council Member Hecimovich voted nay.

Council must approve new appointments and reappointments to Boards and Commissions.

Janet Anderson is going off the Planning Commission and will go on the Human Rights Commission.

Marcel Edoh will be appointed to the Human Rights Commission.

Becky Repinski and Carmen Tribbett will be appointed to the Library Board.

Tony Bennett will be appointed to the Planning Commission.

Aaron Stewart will be appointed to the Cable TV Committee.

The Charter Commission is actually appointed by the 3rd District Judge. Chuck Moline is the only new appointee on that board.

The Board of Review is approved by Council in the spring.

One correction was made to the list: Gloria Nordin would be serving on the Water Management Committee.

Moved by Council Member Nordin, seconded by Council Member Dick Pacholl, approving the appointments to the Boards and Commissions for 2005. Carried.

Effective January 1, 2006, the federal mileage reimbursement rate is decreasing from the interim rate of 48.5 cents per mile to 44.5 cents per mile. The City of Austin did not change for the interim rate for the last quarter or so of 2005 when the rate was adjusted up from 40.5 cents to 48.5 cents per mile. The City of Austin has followed the federal rate for our reimbursement policy; it is recommended that our rate change to 44.5 cents per mile.

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, adopting a resolution approving the mileage reimbursement rate at 44.5 cents per mile. 7-0. Carried.

The City of Austin must annually pass a motion authorizing the City Recorder to sign a waiver indicating the City does not waive statutory tort limits. This holds the maximum amount a claimant could receive for a single occurrence to which the statutory limits apply to \$300,000. Also, the total all claimants would be able to receive from any single event would be limited to \$1,000,000.

Moved by Council Member Nordin, seconded by Council Member-at-Large Christopherson, authorizing the City Recorder to sign an insurance waiver, which states that the City does not waive statutory tort limits. Carried.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Dick Pacholl, adopting a resolution granting licenses for sale of on-sale hard liquor, Sunday hard liquor on-sale, Sunday wine on-sale licenses, and 3.2 beer on and off-sale. 7-0. Carried.

The Engineering Department is requesting approval of a proposal with SEH to conduct environmental assessment of 3 properties in connection with the Railroad Yard Revitalization Project.

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

Moved by Council Member Nordin, seconded by Council Member-at-Large Christopherson, resolving the Common Council into the Sign Board of Appeals. Carried.

The Planning Commission has reviewed and recommended approval of a sign appeal petitioned by Marc Mammero for Austin Awning, 1208 4th Street SE. The sign appeal is to erect an awning above the exterior west pedestrian sidewalk of the property. City Code requires such awnings in a B-2 district to have a minimum clearance of nine feet above the sidewalk. The clearance of this proposed awning is 7'4".

Council Member Nordin questioned if this is a flat roof. Community Development Director Craig Hoium said it is.

Council Member Nordin said in looking at the downtown revitalization, the buildings in the 1940s all had awnings. They are moveable and protect from rain and snow. She said we should go back to the use of awnings.

Mr. Hoium said the issue is clearance from the sidewalk. He believes the minimum clearance is to help create or maintain openness. It has been suggested that restrictions be revised in the Central Business District to make it more lenient for the use of awnings and to create the atmosphere that Council Member Nordin referred to. Mr. Hoium said the goal is to aesthetically improve the property.

Moved by Council Member Nordin, seconded by Council Member Hecimovich, approving the sign appeal. Carried.

Moved by Council Member Dick Pacholl, seconded by Council Member Scot Pacholl, adjourning the Sign Board of Appeals and resolving back into the Common Council.

Moved by Council Member-at-Large Christopherson, 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 505 5th Avenue NW, Divila property. Carried.

Moved by Council Member Hecimovich, seconded by Council Member Scott Pacholl, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 508 9th Avenue SE, Thompson property. Carried.

The federal laws have changed for the operation of flex benefits. Previously, all claims had to have occurred within a calendar year and submitted by March 1. Now a health care expense may be incurred up to March 15 of the year after the plan year is allowed. Those claims can then be submitted up to June 1.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, adopting a resolution amending the agreement for flexible benefits plan. 7-0. Carried.

A resolution was recently approved which cites the health insurance plans that the non-contract city employees are eligible for. This resolution needs to be updated to allow the non-contract employees to have the option of Plan B.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Scott Pacholl, adopting a resolution allowing an additional health insurance plan option for non-bargaining unit employees. 7-0. Carried.

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, adopting a resolution authorizing the Mayor and City Recorder to sign a contract addendum with IAA, Local 598 to allow for health insurance plans B and E. 7-0. Carried.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, adopting a resolution authorizing the Mayor and City Recorder to sign a contract addendum with Police Supervisors to allow for health insurance plans B and E. 7-0. Carried.

Moved by Council Member Nordin, seconded by Council Member-at-Large Christopherson, adopting a resolution authorizing the Mayor and City Recorder to sign a contract addendum with LELS, Local #73 to allow for health insurance plans B and E. 7-0. Carried.

The federal government passed the Help America Vote Act. The Act provides funding to each state to comply with the Act and for the purchase and maintenance of electronic voting equipment. The City of Austin, along with Mower County, has created the Election Equipment Plan. The City and County should pass resolutions accepting the plan.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, adopting a resolution approving election equipment with Mower County. 7-0. Carried.

Reports:

City Hall will close December 26 and January 2.

Community Development Director Craig Hoium said staff has met with representatives from Walmart. They have reviewed various revisions. He expects public hearings to be rescheduled for January or February.

Council Member Dick Pacholl questioned the status of two matters in Matters In Hand: the prosecuting attorney's contract and the use of arenas. Mayor Rietz said these would be reviewed in the new year.

Mayor Rietz referred to a letter she received from an editor of Boxing Digest, who noted that Austin should commemorate in some way Jackie Graves. Graves, from Austin, was a noted boxer in the 30s and has been nominated to be included in the Boxing Hall of Fame.

The next council meeting will be Tuesday, January 3, 2006.

Moved by Council Member Hecimovich, seconded by Council Member Dick Pacholl, adjourning the meeting. Carried.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, to re-open the meeting at 7:36 pm.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, to approve the AEA contract. 7-0. Carried.

Moved by Council Member Nordin, seconded by Council Member Dick Pacholl, to adjourn the meeting to January 3, 2006.

Adjourned: 7:38 pm

Approved: January 3, 2006

Mayor: _____

City Recorder: _____