

MINUTES
CITY COUNCIL ADJOURNED MEETING
TUESDAY, JANUARY 17, 2006
5:30 P.M.
COUNCIL CHAMBERS

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

MEMBERS ABSENT: Council Member Nordin

OTHERS PRESENT: Austin Daily Herald. Austin Post Bulletin. KAUS. Boy Scout Troop 113. Dan and Melodee Morem. Dick Epley.

Added to the agenda: A motion approving the City's Pay Equity Report, and an additional resolution receiving feasibility report for street improvements in the Wildwood Park area.

Added to the consent agenda: Temporary Gambling (raffle): Mower County Pheasants Forever @ Holiday Inn, February; Cab Driver License for Clint Billings, 305 15th Street SE, Austin.

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, to remove the following licenses for renewal as they were added to the January 3 council agenda:

Cab Driver: Byron Buxton, 707 3rd Street NW, and
Cynthia Streiff, 1410 6th Avenue NW

Carried.

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

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, approving the minutes of January 3, 2006. Carried.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Hecimovich, approving the consent agenda as follows:

Exempt Gambling (raffle): United Catholic Schools Foundation @ St. Edwards, April 29

Temporary Liquor: Austin Catholic Schools @ St. Edwards, April 29

Additional 2006 Licenses:

Cab Driver: Daniel Pumroy, 614 12th Street NE

Cigarette: Shell Food Mart, 709 21st Street NE

Food: The Coffee House on Main, 329 N. Main Street

Shell Food Mart, 709 21st Street NE
St. Augustine Council of Catholic Women, 310 2nd Avenue NE
Domino's Pizza, 1231 Caledonia Street, Mankato
Concrete: Klouse Concrete, 54872 160th S.
Excavation: Olson Grading, 88584 240th Street
Harty Mechanical, 1015 2nd Avenue NE
Miner Electric, 106 Center Avenue N.
Garbage Hauler: Stewart Sanitation, PO Box 321, Owatonna, MN
Waste Management, 25237 755th Avenue, Clarks Grove, MN
Gas Station: Shell Food Mart, 709 21st Street NE
Master Plumber: DMC Plumbing & Heating, PO Box 1085, Pine Island, MN
Holmquist Plumbing, 9106 NW 66th Street, Waseca, MN
Jensen Heating, Air Conditioning, PO Box 306, Geneva, MN
Voigt Plumbing & Heating, Box 86, Grand Meadow, MN
Robert Embrickson, 502 4th Street NW
HiMec, 1901 4th Avenue NW
Soft Water Installation: MI Water Store, 1411 Gilbert Street, Charles City, IA
Temporary Gambling (raffle): Mower County Pheasants Forever @ Holiday
Inn, February 18
Cab Driver: Clint Billings, 305 15th Street SE

Claims:

- a. Investment Report.
- b. Pre-list of Bills.
- c. Donald Stanton, 54683 245th Street, Austin. This claim has been referred to the city attorney to protect the city's interest.
- d. Katelynn Lea Martin. This claim has been referred to the city attorney to protect the city's interest.

Carried.

A public hearing was held on the preliminary plat review of property to be known as *Morem Addition*. The petitioner is proposing to replat an approximately 4.25-acre site for the development of 14 single-family lots, storm water retention pond, and the public right-of-way extension of 17th Street NW. This would be located in the 1700-1800 blocks of 6th Avenue NW and 8th Avenue NW. The extension of 17th Street would be a cul de sac serving 11 lots. A stormwater retention pond would be located north of this development, and north of the retention pond, three single-family lots are planned. Density of this proposed development would be 3.29 units per acre, and this is in compliance with the Comprehensive Plan.

Council Member-at-Large Christopherson questioned the wetlands and the capacity of the soil. Community Development Director Craig Hoium said the reports on the wetlands designation have been done, as well as a geological analysis.

Mayor Rietz questioned the no-access to 8th Avenue NW. Mr. Hoium affirmed this, saying the access would be on 6th Avenue NW.

No other comments were made.

Moved by Council Member McAlister, seconded by Council Member Dick Pacholl, approving the preliminary plat along with the recommended conditions of approval by the Planning Commission. 6-0. Carried.

The American Legion Post 146 in Adams is requesting a one-day raffle at the Austin Armory to benefit the Family Readiness Group. The State Gambling Control Board has preliminarily approved this request and are willing to waive the 30 days notice. The City Council must pass a resolution for a gambling premises permit application.

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, adopting a resolution approving the gambling premises permit application for American Legion Post 146 at Austin Armory, 800 21st Street NE, Austin. 6-0. Carried.

The State of Minnesota requires an annual audit of the City of Austin. The total quote from our auditor, Larson Allen, is \$36,400. The City is not required to bid out the audit, but should we choose to bid it out, the process should begin in June or July. Finance Director Tom Dankert has spoken with other audit firms in the Twin Cities area and they have stated that they would all have a similar price quote. Because of the requirements of GASB 34 compliance which was put in place in 2002 and 2003, our costs for the audit have risen.

Moved by Council Member Hecimovich, seconded by Council Member-at-large Christopherson, approving the 2005 audit quote from Larsen Allen. 6-0. Carried.

City Engineer Jon Erichson requested approval of a grant agreement for power line relocation at the Austin Municipal Airport. The total cost of the project is \$1,440,000, with the Federal participation of \$992,321, the State participation of \$276,816.11, and the local contribution of \$170,862.89. This project would be awarded to the low bidder. The power line relocation is at the south end of the airport. A fall start date for this project is planned due to Austin Utilities' request to not do the project during the peak power period of the summer.

Council Member Baker questioned the \$20,000 difference of the current local contribution and the \$150,000 earmarked in the Capital Improvement Program. Mr. Erichson said it is very difficult to estimate the exact amount at the time of the Capital Improvement Program planning. There are two ways that the city may be reimbursed for this project: through reimbursement from State and Local grants for our own construction management services and the possibility of Hormel Foods Corporation's statement that they would contribute if the project was in excess of projected dollars. Mr. Erichson said we will not know the final cost of the project until the last phase. He noted that the local contribution of \$170,862.89 *does* include the engineering time so the actual out-of-pocket cost should be closer to \$150,000.

Moved by Council Member Hecimovich, seconded by Council Member Dick Pacholl, adopting a resolution approving the grant agreement for power line relocation. 5-1. Council Member Baker voted nay.

City Engineer Jon Erichson gave the proposed 2006 assessment rates for street and sidewalk reconstruction projects. The assessment rates were last raised in 2004. Concrete curb and gutter

would increase from \$9 to \$9.50. Urban residential city streets would increase from \$29.00 per linear foot to \$31.50 per linear foot. And rural city streets would increase from \$24 per linear foot to \$25.25 per linear foot. Typically these costs would be \$80 to \$100 spread over 15 years.

Council Member Baker said he sees this as a tax increase, and this was not talked about at the Truth In Taxation hearing nor the budget planning sessions. This is a 5 to 8% increase in assessments. He questioned what is driving these costs up. He considers the increases excessive.

Mr. Erichson said our goal is to assess 50% of the project costs. If the city's percent of paying the assessments is not changing, then the assessments costs need to go up. Either the city pays a greater percentage of the assessment or the costs go up. Mr. Erichson said there was a significant increase in energy and related costs in 2005; this is what drew the costs up.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Hecimovich, adopting a resolution approving the street/sidewalk reconstruction assessment rates. 5-1. Council Member Baker voted nay.

The contract for providing fire protection services to Austin Township and Lansing Township expired on December 31, 2005. The council is requested to renew this agreement for another 10 years. Dick Epley, Chairman of Austin Township said this has been a good agreement, and they would like to renew for another 10 years.

Council Member Hecimovich asked for a brief explanation of the equation for fee calculation. Mr. Epley said the usage of the township and the usage of the city are calculated, and these are compared to the tax capacity of the townships and the city.

Fire Chief Dan Wilson said we also have the mutual aid agreement in place.

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, adopting a resolution approving the rural fire agreement. 6-0. Carried.

City Engineer Jon Erichson requested council approve a lease with the Federal Aviation Administration for space at the new Airport Administration Building. This is a 10-year lease, and the rate has increased from \$500 per year to \$700.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Hecimovich, adopting a resolution approving a lease with the FAA for space at the Airport Administration Building. 6-0. Carried.

Jon Erichson has been working with engineers from counties north of us in the Cedar River watershed. A regional flood reduction ad hoc committee is being formed with elected officials. Mayor Rietz has requested Council Member Brian McAlister serve on this committee and that Council Member Norm Hecimovich be the alternate.

Moved by Council Member Dick Pacholl, seconded by Council Member McAlister, approving the appointment of Council Member McAlister to the Regional Flood Reduction Ad Hoc Committee, with Council Member Norm Hecimovich serving as alternate. Carried.

Mayor Rietz has recommended that Council Member Geoff Baker be the city's representative on the newly formed Main Street Project, Inc. Board of Directors.

Moved by Council Member Dick Pacholl, seconded by Council Member McAlister, approving the appointment of Council Member Baker to the Main Street Project Inc. Board of Directors. Carried.

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

The City has received an appeal from Universal Signs to erect two exterior wall signs on the Walgreens Store located at 1420 West Oakland Avenue. The surrounding land usage is commercial, residential and recreational. The Austin Planning Commission reviewed this request at their January meeting. The requested signs would be illuminated and would face a residential area to the north and Wescott Field to the east. The existing signs total 345 square feet. The two proposed Walgreen signs would be 151 square feet, bringing the total square footage to 496.

Community Development Director Craig Hoium said the surrounding residences have been notified. Mr. Hoium received one response which was not an objection as long as the signs weren't illuminated for 24 hours. The Planning Commission approved this request for a 4-2 vote with the condition that the sign facing the north be shut off by 10:00 pm.

Council Member Dick Pacholl noted that he didn't see the proposed signs being bothersome as much as the current parking lot lights.

Council Member-at-Large Christopherson questioned if the signs were currently in compliance. Mr. Hoium said they are. The appeal is due to the proposed signs not facing a public right-of-way.

Council Member Baker questioned if we would be facing a future problem with allowing signs on all four sides. Mr. Hoium said most sign appeals are unique to the property, as is true with this situation. The Planning Commission did discuss this request at length and questioned its necessity.

Council Member Dick Pacholl said he thought the request for the one light to be turned off by 10:00 pm was unusual and would be a burden to the property owner.

Moved by Council Member Dick Pacholl to approve the sign appeal without the condition that the sign facing the north be shut off by 10:00 pm. Motion died for lack of a second.

Moved by Council Member Hecimovich, seconded by Council Member McAlister, approving the sign appeal with the condition that the sign facing the north be shut off by 10:00 pm. 5-1. Council Member Dick Pacholl voted nay.

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

The Cable TV Committee and staff have concurred with a recommendation of Brian Grogan, legal consultant from Moss & Barnett, to have a franchise fee payment review completed prior to the franchise agreement renewal. The estimated cost for the audit is \$4000 to \$6000.

Moved by Council Member Dick Pacholl, seconded by Council Member Hecimovich, adopting a resolution to approve of up to \$6000 to be used for an audit of Charter Communications. 6-0. Carried.

As part of the Capital Improvement Program, feasibility reports for street and sidewalk projects are being requested of council to accept and to call hearings. City Engineer Jon Erichson said Council is being requested to accept the feasibility report only on one project – 9-A-00 – street improvement in the Wildwood Park area and not call the hearing. A pending FEMA grant for this area may potentially remove all the homes adjacent to Wildwood and so the city may then reconfigure those streets.

Mr. Erichson said information meetings on the rest of the projects will be held prior to February 21. The Engineering Department will then try to incorporate the input from those citizens attending the meetings. One change may be in the Burr Oak area as citizens in that area want to keep the street island.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Hecimovich, adopting a resolution approving the feasibility reports on the following projects:

- | | |
|--|---------|
| 1) 2006 Sidewalk Replacement Program | 2-C-06 |
| 2) Burr Oak Area | 1-A-06 |
| 3) 2 nd Street NE (1 st Avenue to 4 th Avenue) | 2-A-06 |
| 4) East Side Lake Area Project
(11 th Street NE to 15 th St and 5 th Ave to 8 th Ave) | 3-A-06 |
| 5) 3 rd Avenue NE (1 st Street to 4 th Street NE) | 7-A-05 |
| 6) 1 st Avenue SE (2 nd Street to 4 th Street) | 12-A-05 |

and calling a public hearing for February 21, 2006. 6-0. Carried.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Dick Pacholl, adopting a resolution receiving feasibility report for Project 9-A-00. 6-0. Carried.

The Minnesota Area Transportation Partnership for District 6 provides for Federal Transportation Project Grants for the years 2009 and 2010. The grants are highly competitive, and the Engineering Department has identified three projects which have potential for funding. They are:

- A bike and pedestrian trail on the east side 21st Street NE, and then east across the Nature Center to 28th Street.
- Reconstruction of 12th Avenue NE (17th Street to 21st Street NE)
- Signal light upgrades to replace four signal lights

Council Member Baker noted he saw \$250,000 in the Capital Improvement Program earmarked for trails but didn't see designated funding for the other two items. Mr. Erichson said these signals would be put in at staggered times; one is scheduled for this year.

Council Member Baker questioned if this is adding to our obligation or changing the CIP. Mr. Erichson said the 12th Avenue NE is not identified this year but every year the CIP does change.

Moved by Council Member Hecimovich, seconded by Council Member Scott Pacholl, adopting a resolution approving grant submittal for the Nature Center trail enhancement. 6-0. Carried.

Moved by Council Member Dick Pacholl, seconded by Council Member Hecimovich, adopting a resolution authorizing grant submittal for improvement of 12th Avenue NE (17th Street to 21st Street NE). 6-0. Carried.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Hecimovich, adopting a resolution approving grant submittal for signal light upgrading. 6-0. Carried.

Each year the City must submit a Pay Equity Report to the State. Beginning this year, the State requires that the report be approved by the city council. The report must be filed by the end of this month.

Council Member Baker questioned that Council is being asked to approve of report they have never seen. City Administrator Jim Hurm said he could provide a report in the future.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Hecimovich, approving the City's Pay Equity Report. 5-1. Carried. Council Member Baker voted nay.

REPORTS:

Tom Dankert said the final paperwork has just been mailed for the FEMA grant. 90% will be reimbursed by FEMA.

Jim Hurm said that the AMCAT Board has not found anyone else to head the board and Viril Layton has agreed to serve through March. No action by Council is needed.

Jim Hurm has recently talked to the publisher of the Austin Daily Herald, Kevin True. Mr. True agreed that the increase to the printing costs were high. The previously agreed-to price was \$4.60 per column inch; Mr. True has reduced to the cost to \$4.35, which is a 5% decrease.

The League of Municipalities of Mower County will be meeting this Thursday. Council Members McAlister, Dick Pacholl, Scott Pacholl and City Administrator Jim Hurm will attend.

Council Member-at-Large Christopherson questioned if the Police Department has a report on the (cab license yet (for Austin Cab). Mr. Hurm said a report has not been received yet.

Council Member Baker questioned the amount of money the city is spending on lobbying (e.g. \$44,000 per year to the Coalition of Greater Minnesota Cities).

Moved by Council Member Baker, seconded by Council Member Dick Pacholl to place the issue in Matters in Hand. Carried.

Council Member Hecimovich said he is initiating a reintegration committee for soldiers coming home. The first meeting is planned for January 24 at 9:00 am.

Mayor Rietz noted that there would be three weeks until the next council meeting on February 6. And February 7 will be the next work session.

Mayor Rietz also announced that the date for the city volunteer event has been set for March 30 at 5:30.

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, adjourning the meeting to February 6, 2006. Carried.

Adjourned: 6:40 pm

Approved: February 6, 2006

Mayor: _____

City Recorder: _____