

MINUTES
CITY COUNCIL CHARTER MEETING
August 7, 2006
5:30 P.M.
Council Chambers

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

MEMBERS ABSENT: Council Member Baker.

OTHERS PRESENT: Post Bulletin, Austin Daily Herald. KAAL. Patrick Houston

Added to the agenda: A resolution setting a public hearing for August 21, 2006 for final plat approval of *Bustad/Plehal Addition*.

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

Moved by Council Member-at-Large Christopherson, seconded by Council Member Hecimovich, approving the minutes of July 17, 2006 and July 24, 2006. Carried.

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

Licenses:

Concrete: Bliss Concrete, 24273 546th Avenue, Austin, MN

Food – Mobil: Marie's Roadside Rotisserie, 1706B Carriage Home Dr.

Massage Therapist: Brandi Meyer, 56917 110th St., Lyle, MN

Tattoo Artist: Marco Aguerro, 1021 Skylark Lane, Albert Lea, MN

Exempt Gambling (raffle): Austin Area Chamber of Commerce @ Austin Country Club,
October 18

Cigarette: BLS Tobacco, 1702 17th Street NW

Massage Establishment: Superstar Tanning & Fitness, 1401 1st Avenue SW

Temporary Food: Austin Rotary, St. Ed's Corcoran Center, August 15

Master Plumber: Advanced Plumbing inc., 1548 Gray Fox Dr., Owatonna

Claims:

a. Pre-list of bills.

b. Nyamuol Thijock, 316 4th Avenue SE. This claim has been referred to the city attorney to protect the city's interest.

- c. Holly Dalager, 900 2nd Avenue NW. This claim has been referred to the city attorney to protect the city's interest.
- d. Holly Stahl, 88835 St. Hwy 251, Austin, MN. This claim has been referred to the city attorney to protect the city's interest.

Carried.

At the July 17 meeting, the city council reviewed and discussed the bids for the purchase of a new paver, plus the sale of the existing paver. The City Council requested additional information to be brought back to Council. No action was taken at the July 17 meeting.

The City Engineer provided additional information for the purchase of the new paver and sale of the existing paver. The report included the type of work performed, cost comparisons and an example of an insurance claim which may result while the City would be waiting for a contractor to pave.

Moved by Council Member Nordin, seconded by Council Member Hecimovich, adopting a resolution awarding the bid for a new paver from Road Machinery & Supplies. 6-0. Carried.

Moved by Council Member Nordin, seconded by Council Member Hecimovich, approving the sale of the existing paver to Ulland Bros. Carried.

The City received bids for the apron at the Austin Municipal Airport on July 25. The project includes the airport reconstruction, a new fueling island, taxiway connections, and the hangar access road. Two bids were received.

Ulland Bros.	\$1,190,990.62
Rochester Sand & Gravel	\$1,252,629.96

The awarding of this bid is contingent on receiving the federal grant which will pay for 95% of the project.

Jon Erichson thanked Tom Dankert in helping with the submission of the grant reimbursement requests, along with the follow-up work.

Council Member-at-Large Christopherson questioned the impact of increasing fuel costs. Mr. Erichson said the final bid will not be made until October, and the federal government is not acting on the grant until the project begins. The awarding of this bid is contingent on receiving the grant.

Moved by Council Member Nordin, seconded by Council Member Hecimovich, adopting a resolution receiving bids for the apron at the Austin Municipal Airport. 6-0. Carried.

Jim Hurm requested Council transfer \$500,000 to the Port Authority for the Main Street Project. This is scheduled in the Capital Improvement Program for 2006.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, adopting a resolution transferring funds to the Port Authority for the Main Street Project. 5-1. Carried. Council Member-at-Large Christopherson voted nay.

The alley behind the Silver Bullet building – on the south side – needs to be repaired. Assistant City Engineer Steven Lang has prepared the cost estimate. This project would not be done until a purchase agreement is completed.

Council Member Nordin asked what the multiple electric vaults are. Mr. Erichson said the alley has a series of underground electrical receptacles, which would be changed to above-ground.

Council Member Nordin asked if asphalt would be a less expensive replacement. Mr. Erichson said the possibility of using asphalt would be considered, but that that area is difficult due to the grading.

Council Member-at-Large Christopherson asked how much is left in the Contingency Account. Mr. Hurm said there is about \$50,000.

Council Member-at-Large Christopherson asked if the City has a policy for assessing alleys. Mr. Erichson said the City does not have a policy for assessing alleys. The Street Department knows that some of the alleys in Austin are in poor shape, and they have done overlays in the last 10-15 years. Some alleys are now higher than the garages in the alley so some alleys may have to be reconstructed. There may be a possibility of cost-sharing in the future with assessments.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, adopting a resolution authorizing the expenditure of \$29,000 from the Contingency line item for alley repair adjacent to the Silver Bullet. 6-0. Carried.

Moved by Council Member Dick Pacholl, seconded by Council Member-at-Large Christopherson, approving street closing on Saturday, August 26 for Downtown Family Day. Carried.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Dick Pacholl, adopting a resolution designating the voting places for the City, Utilities, County and State primary election to be held on September 12, 2006, and also for the general City, Utilities, County and State election to be held on November 7, 2006. 6-0. Carried.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Hecimovich, adopting a resolution designating the judges of election for the primary election and general election to be held in September and November, 2006. 6-0. Carried.

Moved by Council Member Nordin, seconded by Council Member-at-Large Christopherson, setting a public hearing for August 21 for a rezoning of property owned by Burton J. Plehal Combined Disclaimer Trust from an R-1 Single-Family Residence District to a Planned Development Residential District. 6-0. Carried.

Moved by Council Member-at-Large Christopherson, seconded by Council Member McAlister, setting a public hearing for August 21 for a 6-foot variance from City Code governing the minimum front yard setback of 25 feet in an R-1 Single Family Residence District, petitioned by Gary Alink. Carried.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Hecimovich, setting a public hearing for August 21 for the preliminary plat review of property to be known as *Good Samaritan Addition*. Carried.

The Eagles Club #703 is requesting approval for a gambling premises permit for their new location at 107 11th Street NE. The gambling premises permit for the Eagles's existing building is still in effect, but the Gambling Control Board is requesting this action for their new property.

Moved by Council Member Nordin, seconded by Council Member Dick Pacholl, adopting a resolution approving the gambling premises permit for the Eagles Club #703 at 107 11th Street NE. 6-0. Carried.

Moved by Council Member Nordin, seconded by Council Member-at-Large Christopherson, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 2101 East Oakland Avenue, Benson property. Carried.

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 807 7th Avenue SE, Rodriguez property. Carried.

Moved by Council Member Nordin, seconded by Council Member-at-Large Christopherson, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 806 6th Avenue NE, Shanahan property. Carried.

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 1006 6th Avenue NW, Thompson property. Carried.

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 1703 6th Avenue NW, Earles property. Carried.

Richard Epley is leasing some airport property for farming and has requested an easement for a portion of property which was acquired by the City with the buyout of the Gary Anderson property. The easement would provide access to the property that is being farmed. Mr. Erichson is recommending approval.

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

Moved by Council Member-at-Large Christopherson, seconded by Council Member Hecimovich, setting a public hearing for August 21 for final plat approval of *Bustad/Plehal Addition*.

REPORTS:

City Administrator Jim Hurm announced that Mayor Rietz received the Jack Murray Award at the CGMC conference last week. This award is given to those who have taken a leadership role in rural issues. Mayor Rietz has been on the Board for several years and was the president of the board last year.

City Engineer Jon Erichson gave an update on the Wildwood Park grant. He has been working on this project for 1½ years. It involves the acquisition of 17 properties in the floodplain. Council has previously approved a \$275,000 state grant, which represents 12.5% of the total cost. The FEMA grant is the other portion of the project funding, and it is a competitive grant. The City has been given tentative approval. Mr. Erichson said the tentative approval came prior to Hurricane Katrina, and since then the FEMA agents have been too busy to act on our approval. He said everything has been approved. This is approximately \$1.67 million and needs to be approved through Washington. He is optimistic that final approval will be coming soon.

Council Member Hecimovich questioned if this requires Congressional approval. Mr. Erichson said he did not believe so; rather, he believes it needs approval by the FEMA director and staff.

Mr. Erichson added that the grants do not allow any pre-spending, such as property appraisals. Any prior spending would not be eligible for reimbursement.

Council Member Dick Pacholl questioned if the approval by Washington is something new. Mr. Erichson said previous grants have not been on a competitive basis. He feels very fortunate to have obtained the grant, being that it is competitive. Mr. Erichson said that due to abuses of FEMA dollars for Katrina, there is much more follow-up which is creating delays.

Council Member Dick Pacholl said three people from Austin attended the last League of Cities meeting. The Sheriff's Department gave an update, and there was an update on the jail situation. The next meeting is scheduled for Wednesday, October 18 in Lyle.

Council Member Scott Pacholl reported on the last AMCAT meeting. The organization is in good financial standing, and they will not be seeking any funding from the City for 2007. The proposed site for the new building is being looked into but there is nothing final yet.

Mayor Rietz reminded everyone to observe our military serving in Iraq on the 11th of August at 11:00.

August 20th will be the date for the Cultural Heritage Festival at Todd Park starting at 12:00.

Moved by Council Member Nordin, seconded by Council Member-at-Large Christopherson, adjourning the meeting to August 21, 2006.

Adjourned: 6:03 p.m.

Approved: August 21, 2006

Mayor: _____

City Recorder: _____