

**M I N U T E S**  
**CITY COUNCIL ADJOURNED MEETING**  
**MONDAY, DECEMBER 18, 2006**  
**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 Post Bulletin, Austin Daily Herald. Harold Brandt, Steve Wald, Tom Stiehm, Jeff Austin and John Martin.

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

Moved by Council Member-at-Large Christopherson, seconded by Council Member Hecimovich, approving the council minutes of December 4, 2006 and Truth In Taxation Hearing Minutes of December 5, 2006.

There were six retirements from 2006. They are:

Park, Recreation & Forestry Department, Harold Brandt – August 24, 1976 to May 31, 2006

Fire Department, Paul Behn – August 14, 1984 to June 24, 2006

Police Department, Steve Wald – May 1, 1990 to July 2, 2006

Fire Department, Ted Gilbertson – November 1, 1979 to July 22, 2006

Fire Department, Rick Christensen – June 16, 1980 to July 30, 2006

Police Department, Tom Stiehm – November 16, 1976 to August 31, 2006

Mayor Rietz presented plaques to three retirees: Harold Brandt, Steve Wald, and Tom Stiehm.

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

Licenses:

Business relocation: Joe's Star Liquor from 10½ 11<sup>th</sup> Street SE to 209 11<sup>th</sup> Street NE  
2007 License Renewals

Claims:

- a. Financial and Investment Reports.
- b. Pre-list of Bills.

Carried.

A public hearing was held on the 5-year Capital Improvement Plan. The proposed CIP has been provided to the Mayor and Council in booklet form. The Council has previously reviewed the CIP in work sessions. Minor changes were made to the proposed CIP: On page 50 of the CIP, a new roof for the pool pavilion have been added (Funds are included in the roof repair for a bathroom). Also, the public, educational, government (PEG) cable access fee has been added under revenue. The 2007 plan has been budgeted; the CIP for 2008 through 2011 is a proposed plan for staff to work with.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, adopting a resolution approving the 5-year CIP. 7-0. Carried.

A public hearing on the transfer of Job Opportunity Building Zone acreage to Hormel Institute property. The Hormel Foundation has requested JOBZ benefits for the Hormel Institute expansion project. The request is for a transfer of JOBZ acres from JOBZ Zone 198. Community Development Director Craig Hoium provided Council with a corrected legal description, which is the description of just the area of the expansion, not for the entire Hormel Institute. The expansion project is planned to be 64,000 square feet and would be a two-story building. Mr. Hoium said the transfer is allowable under Minnesota Statutes. Mr. Hoium stated that because of the support the Hormel Foundation gives to the community and because of the scope of the project, he recommends approval of this request.

Council Member Baker questioned if the JOBZ designation and the Bioscience Enterprise Zone can be used simultaneously. Mr. Hoium said this request is for just the JOBZ benefits; it is not a request for the bioscience designation. The benefits relate to various tax exemptions, and specifically would be used for construction materials. Council Member Baker questioned if the street improvement was approved under the bioscience grant dollars. City Engineer Jon Erichson said the City did apply for this grant and has just received notification of a \$512,000 grant last Friday. The City can receive both the JOBZ and Bioscience Enterprise Zone designations. They are independent of each other.

Council Member-at-Large Christopherson questioned the tax exemption of the JOBZ designation. Mr. Hoium said what is available in this case is specifically exemption from tax on construction materials; there are six exemptions in total that the designation could use. They would qualify for this status for nine years. Council Member-at-Large Christopherson asked if they would be exempt from the local option sales tax. Mr. Hoium said he did not know, but that the construction materials sales tax exemption is a statewide JOBZ designation.

Moved by Council Member Nordin, seconded by Council Member Hecimovich, adopting a resolution approving transfer of JOBZ acreage to Hormel Foundation. 7-0. Carried.

A public hearing on acceptance of JOBZ Business Subsidy Criteria agreement with Hormel Foundation was held. This matter must be acted upon by the Austin Port Authority at a public hearing; no action was required by the City Council. The hearing has already been scheduled for a December 27 public hearing by the Port Authority.

The City Council has discussed the 2007 budget previously in work sessions. The Truth In Taxation public hearing was held on December 5, 2006. The total tax levy for the year 2007 is proposed at \$3,232,500.

Moved by Council Member Hecimovich, seconded by Council Member Scott Pacholl, adopting a resolution approving the tax levy for the year 2007. 7-0. Carried.

The proposed budget for 2007 is \$28,467,358. This was approved at the Truth In Taxation hearing.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Scott Pacholl, adopting a resolution approving the 2007 budget. 7-0. Carried.

Council must also pass a resolution which states that if the City does not have alternate sources to pay off bonds, then a resolution must be passed to allow for a tax levy to pay off these bonds. The City does have alternate sources to pay off its bonds; therefore, a resolution to not levy must be passed.

Moved by Council Member McAlister, seconded by Council Member Hecimovich, adopting a resolution authorizing cancellation of certain ad valorem tax levies. 7-0. Carried.

Council must pass an annual resolution granting the 2007 licenses for the sale of liquor on-sale. The draft resolution was not included in the agenda packet. Council requested copies of the resolution at its work session scheduled for December 19.

Moved by Council Member Hecimovich, seconded by Council Member Scott Pacholl, adopting a resolution granting 2007 licenses for sale of hard liquor on-sale, Sunday hard liquor on-sale, Sunday wine on-sale, and 3.2 beer on and off-sale, contingent upon approval of Chief of Police. 7-0. Carried.

Recommendations for the Boards and Commissions have been made by Mayor Rietz. The following are recommended for appointment.

Human Rights Commission: Bob Vilt

Library Board: Terry Dilley

Park & Rec Board: Jose Rivera

City Planning Commission: Shawn Martin, Jim Mino, and Kathy Stutzman

The following people have agreed to be reappointed to their present appointments.

Human Rights: Susan Stevenson and John Hagen

Library Board: Patricia Toschak and Carol Gilbertson

Park & Rec Board: Dave Ruzek and Darlene Thaisen

Fire Civil Service: Jim Cavanaugh

Building Code Board of Appeals: Paul Johnson, Roger Stratton, Walt Alms, Craig Holmen

Police Civil Service Commission: Belita Schindler

Council Member-at-Large Christopherson questioned the current residency of a man on the Charter Commission. Mayor Rietz said she would talk to Council Member-at-Large Christopherson later to look into this matter.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, approving the appointments and reappointments to Boards and Commissions. Carried.

Dr. Gene Muchow previously served as the City of Austin/Mower County Community Health Officer and has now retired. Dr. Richard Schindler has taken over the duties as the Community Health Officer. Council is requested to approve payment for this service.

Council Member Baker questioned the amount of \$104.16 per month. Finance Director Tom Dankert said this amount is \$1250 per year, divided by 12.

Moved by Council Member Hecimovich, seconded by Nordin, adopting a resolution approving payment to Dr. Richard Schindler as Community Health Officer. 7-0. Carried.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Scott Pacholl, adopting a resolution adopting 2006 assessment for weeds and grass cutting. 7-0. Carried.

Council must also pass a resolution approving assessment for garbage and debris clean-up.

Council Member Baker questioned the minimal charges, noting that there should be consideration for adding the cost of copying and distribution into these assessments. Mr. Hoium said a minimum fee could be considered; he said usually an administrative fee is included.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Hecimovich, adopting a resolution approving assessment for abating the nuisance of garbage and debris for 2006. Carried.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Hecimovich, adopting a resolution adopting assessment for tree trimming. 7-0. Carried.

The Engineering Department has started the process for the 2007 Capital Improvement projects and identified the street reconstruction for next year. Council is requested to pass a resolution to request the feasibility reports on the projects.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, adopting a resolution ordering preparation of report on improvements on the following projects for 2007:

Street	1) Corporate Office North Area, 4 <sup>th</sup> Street NE (16 <sup>th</sup> Avenue to 18 <sup>th</sup> Avenue); 17 <sup>th</sup> Avenue NE (1 <sup>st</sup> Street to 4 <sup>th</sup> Street) 18 <sup>th</sup> Avenue NE (1 <sup>st</sup> Street to 4 <sup>th</sup> Street)	9-A-00
Street	2) 13 <sup>th</sup> Avenue NW (4 <sup>th</sup> Street to 12 <sup>th</sup> Street)	1-A-05
Street	3) 22 <sup>nd</sup> Street NW (Oakland Avenue to 6 <sup>th</sup> Avenue)	2-A-05
Street	4) 9 <sup>th</sup> Street NW (13 <sup>th</sup> Avenue to 15 <sup>th</sup> Avenue)	3-A-05

Street	5) 4 <sup>th</sup> Street SE (8 <sup>th</sup> Avenue to city limits)	5-A-05
Street	6) 12 <sup>th</sup> Avenue NW (4 <sup>th</sup> Street to 5 <sup>th</sup> Street)	1-A-07
Street	7) 2 <sup>nd</sup> Street NE (Oakland Avenue to 1 <sup>st</sup> Avenue)	2-A-07
Street	8) 16 <sup>th</sup> Avenue NE (4 <sup>th</sup> Street to 8 <sup>th</sup> Street)	4-A-07
Street	9) Oakland Avenue East (1 <sup>st</sup> Street to 4 <sup>th</sup> Street)	1-A-04
Miscellaneous	10) 2007 Sidewalk Project NW Quadrant	1-C-07

7-0. 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 302 2<sup>nd</sup> Street SE, Norman property. Carried.

Moved by Council Member Dick Pacholl, 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 1106 10<sup>th</sup> Avenue SW, Lawhead property. Carried.

Moved by Council Member Dick Pacholl, 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 1108 10<sup>th</sup> Avenue SW, Lawhead property. Carried.

Police Chief Paul Philipp has requested Council approve conditional job offers to two police officer candidates. Council Member McAlister questioned how long the officers who are quitting have worked for the City. Chief Philipp said one worked for one year, the other, for six months. Council Member McAlister said this is "unfortunate" due to the major investment of time and training for the new hires; he said he did not know what could be done.

Moved by Council Member Nordin, seconded by Council Member Hecimovich, approving the conditional job offers.

Moved by Council Member McAlister, seconded by Council Member Dick Pacholl, granting a 3.2 beer on-sale and 3.2 beer off-sale liquor license to Socorro Garza, dba The Straight Shot, 407 N. Main Street. 7-0. Carried.

#### REPORTS:

Council Member-at-Large Christopherson read a resolution of appreciation to Mayor Bonnie Rietz. Mayor Rietz was also presented a plaque, which included a key to the city.

Mayor Rietz presented keys to the city to Council Member Baker and Nordin.

Moved by Council Member Hecimovich, seconded by Council Member Nordin, adjourning the meeting to January 2, 2007. Carried.

Adjourned: 6:35 pm

Approved: January 2, 2007

Mayor: \_\_\_\_\_

City Recorder: \_\_\_\_\_