

M I N U T E S
COMMITTEE-OF-THE-WHOLE WORK SESSION
January 3, 2006
City Hall Conference Room
6:20 p.m.

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

ABSENT: None

STAFF PRESENT: Jon Erichson and Tom Dankert

ALSO PRESENT: Jean Arnold, Austin Post Bulletin, and Austin Daily Herald

The Mayor called the work session to order at 6:20 pm.

Item #1 – Downtown parking during snow emergency – Citizen Jean Arnold discussed with council the recent issue she had as three of her tenants had their vehicles towed off of Main Street during the recent snow emergency. Ms. Arnold noted her brother actually owns the apartments, but she believes that these tenants have always been able to park on Main Street and have never been towed. Ms. Arnold stated the streets were already cleaned, yet the cars were towed and charged \$130. Additionally, one of the cars got stuck in the towing company's lot, and they said it would be another \$30 to tow them out of their own lot. Ms. Arnold noted her young female renters are students, and they cannot be expected to walk from the Brick Furniture lot as it is not well lit, and Austin is not safe anymore. Ms. Arnold questioned why there were no "Snow Emergency" signs posted.

Public Works Director Jon Erichson stated that we only enforce towing during a snow emergency, which is when there is four inches or more of snow. The Public Works Department will contact the Police Department, who will then inform the media of the snow emergency. There are approximately 40 signs throughout the city that announce the snow emergency and the Police Department is responsible for opening the drop down snow emergency signs. The last snow emergency was the first one of the year, which always catches people off guard. The entire downtown was not done at the time off towing, as the businesses typically shovel their snow into the street, so we have to go back and pick this snow up. From 1:00 A.M. to 8:00 A.M. there is no parking in the downtown area.

Ms. Arnold noted her tenants are young and go to college and work. They do not read the local newspapers or listen to the radio. Mr. Erichson stated signs should be posted at both ends of Main Street for the public to see.

Ms. Arnold questioned who regulates the rates, as the towing company charged \$130 to tow the vehicle. Council Member McAlister stated they probably set their own rates. The ordinance that regulates the snow ordinance is over 35 years old. The tenants need to listen to the radios and check the newspapers when it snows in the event a snow emergency is called.

Ms. Arnold stated that parking in the Brick Furniture lot is not safe for her tenants. After further discussion, Mr. Erichson stated he would check into the feasibility of parking at the old library lot when we have snow emergencies. Mr. Erichson stated he would check into it, and if council desires we could amend the ordinance to allow for parking in the old library lot during snow emergencies.

Item #2 – 2006 Public Works Assessment rates – Mr. Erichson discussed the proposed rates for assessments for 2006. We now assess the projects up front, so that if there are many objections the project can be pulled before a contract is signed. Mr. Erichson stated the goal is to have each side of the street pay 25% of the road cost, with the middle 50% being paid by the entire city through the tax levy. This goal, however, is not usually met as corner yard and prior street life credits reduce the amount to be assessed to the homeowners.

The 2006 proposed rates have increased from the 2005 rates, as energy and construction costs keep increasing. For 2005, council did not increase the assessment rates but we will need to for the 2006 year. Mr. Erichson noted the following rates:

Residential:

	<u>2005 Rate</u>	<u>2006 Rate</u>
Sidewalk (4" thick)	\$ 3.60/ Sq. Ft.	\$ 3.60/ Sq. Ft.
Sidewalk (6" thick)	\$ 4.20/ Sq. Ft.	\$ 4.20/ Sq. Ft.
Concrete Curb	\$ 9.00/ Lin. Ft.	\$ 9.50/ Lin. Ft.
Urban Street Reconstruction	\$ 29.00/ Lin. Ft.	\$ 31.50/ Lin. Ft.
Rural Street Reconstruction	\$ 24.00/ Lin. Ft.	\$ 25.25/ Lin. Ft.

Commercial:

	<u>2005 Rate</u>	<u>2006 Rate</u>
Sidewalk (4" thick)	\$ 3.60/ Sq. Ft.	\$ 3.60/ Sq. Ft.
Sidewalk (6" thick)	\$ 4.20/ Sq. Ft.	\$ 4.20/ Sq. Ft.
Concrete Curb	\$ 9.00/ Lin. Ft.	\$ 9.50/ Lin. Ft.
Urban Street Reconstruction	\$ 44.00/ Lin. Ft.	\$ 46.50/ Lin. Ft.
Rural Street Reconstruction	\$ 37.00/ Lin. Ft.	\$ 38.25/ Lin. Ft.

Industrial:

	<u>2005 Rate</u>	<u>2006 Rate</u>
Sidewalk (4" thick)	\$ 3.60/ Sq. Ft.	\$ 3.60/ Sq. Ft.
Sidewalk (6" thick)	\$ 4.20/ Sq. Ft.	\$ 4.20/ Sq. Ft.
Concrete Curb	\$ 9.00/ Lin. Ft.	\$ 9.50/ Lin. Ft.
Urban Street Reconstruction	\$ 44.00/ Lin. Ft.	\$ 46.50/ Lin. Ft.
Rural Street Reconstruction	\$ 37.00/ Lin. Ft.	\$ 38.25/ Lin. Ft.

Mr. Erichson noted that we do not allow for rural reconstruction, rural meaning a ditch. Mayor Rietz questioned if these increases will cover all of the additional costs. Mr. Erichson stated probably not, but this is the first increase since the 2004 construction season.

Council Member Baker stated the increase on the urban assessments was 8%, and the rural was 5%. This is nearly double and triple the rate of inflation. Council Member Baker stated there is no way our costs could have gone up that much, and questioned what are we doing to mitigate these rates. Mr. Erichson stated these rates are the estimated rates needed to pay the contractors for doing the work. These rates are based on what we will be paying the lowest bidder for a contract to do the actual work.

Mayor Rietz questioned what would happen if we did not increase the assessment rates. Mr. Dankert noted then that portion of the street project would need to be paid for by all citizens through the tax levy. Options would include increasing the tax levy for this or reducing another tax supported program to pay the difference. Council Member-at-Large Christopherson stated that the other way to mitigate the project is to not do it.

Council Member Baker stated we just approved a tax levy increase. We will be reviewing an increase at the Wastewater Treatment Plant, and now we want to increase the assessment rates, that is what I have a problem with. Mr. Erichson stated we can review the construction index over the last few years to see the increased rates. Council Member Baker stated that in the private sector, this is not reality. Mr. Erichson stated that maybe we should be increasing the rates every year for inflation, instead of skipping a year like we have done in the past.

Council Member McAlister stated we cannot eat these additional costs. The cement and oil costs are increasing out of our control. Council Member Hecimovich agreed, stating that the private sector also adds these costs back to their customers. If the fuel cost goes up, you need to increase the rate. Council Member Hecimovich stated that maybe the city should be indexing these costs annually.

Council Member Scott Pacholl questioned if these are the rates needed to get the job done. Mr. Erichson stated they were as long as the bid prices come in as anticipated.

Motion by Council Member Hecimovich, seconded by Council Member McAlister, to recommend to council the approval of the proposed 2006 assessment rates Carried 6-1 (Council Member Baker – Nay). Item will be forwarded onto the next council agenda.

Other Issue – Mr. Erichson handed out a proposed drawing that included the removal of part of the downtown plaza for a one-way street to come through. Mr. Erichson noted 3rd Street NE is scheduled for reconstruction, and if the proposed project wants to be done, it would make sense to do it now when the entire road would re-done. Mr. Erichson stated the costs would exceed \$100,000. Mayor Rietz stated this request, if desired, should come directly from the downtown association. Council Member McAlister stated this was a classic example of a bad idea.

Mayor Rietz requested that City Administrator Hurm talk to the downtown association (Austin Main Street, Inc.) to see how much of a priority this project is for the downtown. No objections noted.

Item #3 Cable TV franchise agreement – Council Member Dick Pacholl outlined the discussions that were held at the recent meeting regarding cable television and our soon-to-be-expired franchise agreement. Council Member Dick Pacholl stated the City cannot change the rates like some of the public think, as these are set by FCC regulation. Brian Grogan, an attorney the city is using to renegotiate the current agreement with Charter Communications, has

discussed what issues should be taken forward during the negotiations, and what items don't have a chance. Council Member Dick Pacholl stated it appears the top issues to deal with include the fiber optic lines around the community, and how more fiber should be brought into the community; accessing local sports on cable television; and including the library into the entire cable access system. Additionally, the Austin Utilities should be getting more for the cable lines being hung on their utility poles. Council Member Dick Pacholl stated that attorney Grogan believes a 5% line hook up fee for the Austin Utilities is reasonable. Mr. Grogan also advised that the next cable franchise agreement should be for a period of twelve to fifteen years.

Mayor Rietz questioned if cable programming is part of the franchise fee. Council Member Dick Pacholl stated it was not. Council Member Dick Pacholl stated that there have been numerous requests to get an additional metro programming channel in Austin.

Mayor Rietz noted Mr. Hurm has some additional information on the cable television meeting, and she requested that staff get this information out to council.

Item #4 – Other Item – Shooting Star Trail – Mayor Rietz noted individuals associated with the Shooting Star bike trail have requested a letter of support from the City of Austin for the upcoming bonding bill. The Shooting Star trail is hoping for a \$3.8 million allocation out of the bonding bill to complete the trail from Adams to Austin.

No objections to the Mayor writing a letter of support for this.

There being no further business, Council Member Hecimovich moved to adjourn the work session, seconded by Council Member Nordin. Motion passed and the meeting was adjourned at 7:37 pm.

Respectfully submitted,

Tom Dankert
Director of Administrative Services