

**MINUTES**  
**CITY COUNCIL CHARTER MEETING**  
**February 5, 2007**  
**5:30 P.M.**  
**Council Chambers**

**MEMBERS PRESENT:** Mayor Stiehm. Council Members McAlister, Austin, Dick Pacholl, Scott Pacholl, and Martin. Council Member-at-Large Christopherson.

**MEMBERS ABSENT:** Council Member Hecimovich.

**OTHERS PRESENT:** Austin Daily Herald. James Lunt, Kimberly Deutsch, and Mark Haider.

Moved by Council Member-at-Large Christopherson, seconded by Council Dick Pacholl, approving the agenda. Carried.

Moved by Council Member-at-Large Christopherson, seconded by Council Austin, approving the minutes of January 16, 2007. Carried.

Mayor Stiehm introduced two new police officers, James Lunt and Kimberly Deutsch, who were sworn in today. Mayor Stiehm introduced Mark Haider as the next police detective.

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

**Licenses:**

**Master Plumber:** Larry Christianson dba Prairie Plumbing & Heating, Blooming Prairie, MN

Dennis Bergstrom dba Jim & Dudes, Albert Lea, MN

Scott Thompson dba Geno's Plumbing & Heating, Albert Lea, MN

Voss Plumbing, Paynesville, MN

John Williams dba Williams Plumbing & Heating, 303 5<sup>th</sup> Place NW, Austin

Route 52 Plumbing & Heating, Chatfield, MN

**Soft Water Installation:** B&J Water Conditioning, Charles City, IA

**Garbage Hauler:** Triple JJJ Disposal, Inc., Brownsdale, MN

**Food:** Iowa Steak Co., Burnsville, MN

Bamboo Hut, 501 W. Oakland Ave., Austin

**Tree Removal:** Renaissance Tree Care, Albert Lea, MN

**Exempt Gambling:** National Wild Turkey Federation @ Eagles Club – February 10

**Temporary Liquor:** Austin Area Commission for the Arts @ Hormel Historic Home – March 17

**Claims:**

- a. Finance and Investment reports.
- b. Pre-list of bills.
- c. Ashley E. Bennefeld, 1104 26<sup>th</sup> Street SW. This claim has been referred to the city attorney to protect the city's interest.
- d. Shannon Hart, Lyle, MN. This claim has been referred to the city attorney to protect the city's interest.

Carried.

City Engineer Jon Erichson proposed the rates for the street and sidewalk reconstruction projects for 2007. The goal is to assess 50% and the City pay 50% through the tax levy. Mr. Erichson said as of late, the City is not quite capturing the 50% due to high energy costs of the contractors. The requested rates for assessing are recommended to be increased due to these rising costs.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Austin, adopting a resolution approving street reconstruction assessment rates for 2007. 6-0. Carried.

The following appointments have been recommended for appointment by the Council-of-the-Whole, with the exception of the KSMQ Board. Due to a scheduling conflict with HRA Board meetings, Jim Hurm will not be able to be appointed. Mr. Hurm is recommending Council Member Martin serve on the KSMQ Board.

**CITY/COUNTY HEALTH BOARD (County Appointment)**

*Meets the 4<sup>th</sup> Thursday of January, and the 3<sup>rd</sup> Thursday of March, May, August and November – 7:00 pm, Health and Human Services-Oak Park Mall*

1. Jeff Austin

**HOUSING AND REDEVELOPMENT AUTHORITY BOARD**

*Meets the 3<sup>rd</sup> Wednesday of the month – 4:30 pm, HRA*

1. Scott Pacholl
2. Dick Pacholl
3. Pete Christopherson
4. Norm Hecimovich

**JOINT AIRPORT ZONING BOARD – AUSTIN/MOWER COUNTY**

**No set meeting times**

1. Dick Pacholl
2. Pete Christopherson

**LIBRARY BOARD**

*Meets the 2<sup>nd</sup> Monday of the month – 3:00 pm, library*

1. Brian McAlister

**PARK AND RECREATION BOARD**

*Meets the 1<sup>st</sup> Wednesday of the month – 5:15 pm, Park & Rec office*

1. Pete Christopherson

**FAMILY CONNECTIONS**

*Meets 3<sup>rd</sup> Tuesday of the month -- 9:00 a.m, Mower County Board Room*

1. Norm Hecimovich

**AUSTIN/MOWER COUNTY TRANSIT (AMCAT) BOARD**

**Quarterly meetings. No set time.**

1. John Martin
2. Scott Pacholl

**CABLE TV COMMITTEE**

**No set meeting times**

1. Dick Pacholl

**CONVENTION & VISITORS BUREAU**

*Meets the 4<sup>th</sup> Tuesday of the month – 1:00 pm, various business locations*

1. Norm Hecimovich

**DEVELOPMENT CORPORATION OF AUSTIN**

*Meets the 3<sup>rd</sup> Tuesday of the month – noon, Town Center Conference Room*

1. Brian McAlister

**CHAMBER OF COMMERCE GOVERNMENT COMMITTEE**

*Meets 3<sup>rd</sup> Wednesday of the month – 7:30 am, Chamber of Commerce*

1. Norm Hecimovich

**PORT AUTHORITY OF AUSTIN**

*Meets 4<sup>th</sup> Wednesday of the month in March, June, September, December (plus several special meetings) – 4:30 pm, Council Chambers*

1. Brian McAlister
2. Norm Hecimovich

**AUSTIN/MOWER COUNTY HOMEOWNERSHIP BOARD**

**Meets January, April, September – 6:30, City Hall Conference Room**

1. Jeff Austin
2. Scott Pacholl

**MOWER COUNTY WATER MANAGEMENT COMMITTEE**

**Two times per year -daytime**

1. John Martin

**COMMUNITY EDUCATION ADVISORY COUNCIL**

1. Norm Hecimovich

**LEAGUE OF MOWER COUNTY CITIES**

**Meets quarterly – 6:30 pm, various cities throughout Mower County**

1. Dick Pacholl
2. Everyone

**SENIOR CENTER BOARD OF DIRECTORS**

***Meets 2<sup>nd</sup> Thursday of the month – 9:00 am, Mower County Senior Center***

1. Brian McAlister

**KSMQ BOARD OF DIRECTORS**

**No set meeting times**

1. John Martin

**BLAZING STAR JOINT POWERS TRAIL**

**No set meeting times**

1. Jeff Austin
2. Scott Pacholl
3. John Martin

**LEC COMMITTEE**

**No set meeting times**

1. Tom Stiehm
2. Brian McAlister
3. Pete Christopherson

**CITY-COUNTY COMMITTEE**

**Meets the third Wednesday of the month – 3:15 pm, HRA**

1. Everyone

**MAIN STREET PROJECT BOARD OF DIRECTORS**

***Meets quarterly. No set meeting times.***

1. Brian McAlister

Moved by Council Member Scott Pacholl, seconded by Council Member-at-Large Christopherson, approving appointments of council members to boards and commissions. Carried.

The Committee-of-the-Whole has discussed the creation of a third police sergeant's position. This would involve a promotion from within the Department and would also involve a reduction of one patrol officer position. City Administrator Jim Hurm said a thorough analysis has been done. The financial impact would be a minimum cost over the years. Mr. Hurm strongly recommends the change.

Moved by Council Member Dick Pacholl, seconded by Council Member Austin, authorizing the creation of sergeant position and eliminating one patrol officer position. Carried.

A request has been made for soil borings and a groundwater monitoring well at the intersection of 4<sup>th</sup> Street and 1<sup>st</sup> Avenue SW, which is the location of a former gas station. City Engineer Jon Erichson said this is not an unusual request to test for possible ground contamination. The testings are under the guidance of the MPCA.

Council Member-at-Large Christopherson questioned how long the well would remain. Mr. Erichson said that it would be based on how much mitigation is required; he said it would probably be within six months to five years.

Council Member-at-Large Christopherson asked if the contamination would then be the responsibility of the owner. Mr. Erichson said it would.

Council Member Dick Pacholl asked who would be responsible for the cost. Mr. Erichson said the property owner would be responsible. He noted that some costs would be reimbursable through the MPCA.

Moved by Council Member Dick Pacholl, seconded by Council Member-at-Large Christopherson, adopting a resolution approving a property owner access agreement to perform soil borings and to place a groundwater monitoring well in the public right-of-way. 6-0. Carried.

Mr. Erichson noted that the City Council has recently passed a Transportation Plan linking 17<sup>th</sup> Street NW to 8<sup>th</sup> Avenue NW. Some property required for this plan was acquired by Mower County through flood mitigation, and Mower County has agreed to transfer it to the City. Mr. Erichson said the deed for the transfer has already been prepared.

Council Member-at-Large Christopherson questioned whether the City can build on this property. Mr. Erichson said the City would be prohibited from building. He said a road would be built and there is also a potential for a storm water retention pond.

Council Member Dick Pacholl questioned if there would be any cost to the city. City Attorney David Hoversten said Mower County is transferring the property free of charge. There may be some recording fees.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Dick Pacholl, adopting a resolution transferring property in Norman Park Addition as part of the adopted Transportation Plan. 6-0. Carried.

The Wal-Mart development is requesting the elimination of the cul de sac on 8<sup>th</sup> Street NW. As part of the elimination of the cul de sac, the public right-of-way must be vacated. Council is requested to pass the initial resolution on this vacation.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Dick Pacholl, adopting a resolution relating to the vacation of a public right-of-way in Burbank Addition. 6-0. Carried.

Tom Dankert, Director of Administrative Services, has received a call from Lori Volz, Director of Finance and Operations at the School District. The School District is applying for a \$4700 safety equipment grant; the grant requires that the city act as Project Sponsor. The local cost of \$150 would be covered by the PTCs.

Council Member Dick Pacholl questioned whether this has been done before. Mr. Dankert said the City pays the adult crossing guards through the police department, but he believes this is the first time for this grant request.

Council Member Scott Pacholl said his daughter is a student crossing guard and he would be happy to be a sponsor for this grant.

Moved by Council Member Dick Pacholl, seconded by Council Member-at-Large Christopherson, authorizing the City to act as project sponsor for an Austin Public Schools grant for safety patrol equipment and supplies. Carried.

Mower County is requesting the City pay for half the cost of an additional dispatch work station at the Courthouse. The total cost of the work station is approximately \$2700, and the cost to the City would be approximately \$1450. This amount would come from the Police PERA funds. Chief Paul Philipp is supportive of this request.

Moved by Council Member Austin, seconded by Council Member-at-Large Christopherson, authorizing an expenditure of Police PERA funds for a dispatch work station. Carried.

Moved by Council Member Dick Pacholl, 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 809 10<sup>th</sup> Avenue SW, Veraza property. Carried.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Austin, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 301 4<sup>th</sup> Avenue NE, Serrano property. Carried.

Moved by Council Member Dick Pacholl, 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 1203 10<sup>th</sup> Avenue SW, Golzalez property. Carried.

The League of Minnesota Cities is requesting cities adopt a resolution in support of transportation funding. Mr. Erichson said the City of Austin receives funding through the gas tax. Municipalities receive 9% of the tax. The following is the funding the City of Austin has received through this gas tax since 1998.

1998	\$ 802,418	135 miles
1999	\$ 877,987	135 miles
2000	\$ 959,483	136 miles
2001	\$1,009,074	137 miles
2002	\$1,034,817	138 miles
2003	\$ 970,277	139 miles
2004	\$ 972,029	141 miles
2005	\$ 946,300	142 miles
2006	\$ 948,930	142 miles

The following has occurred since 1998:

- Mileage has increased by 5%
- Funding has decreased by 8.3% from 2002, and
- Costs for construction and maintenance have increased significantly

Mr. Erichson said the League is looking at funding options for transportation funding, including a gas tax or a “wheelage” tax.

Council Member Dick Pacholl questioned whether this might be brought to the attention of our legislators at the roundtable discussion scheduled with them on Saturday (February 10). Mr. Erichson said he thought it would be useful to pass the resolution tonight and present it to Sen. Dan Sparks and Rep. Jeanne Poppe as a way of showing our local support and sending it on to the State.

Moved by Council Member Dick Pacholl, seconded by Council Member Austin, adopting a resolution in support of state legislation for comprehensive road and transit funding in 2007. 5-1. Council Member-at-Large Christopherson voted nay.

#### REPORTS:

Mr. Hurm announced that the City of Austin has received \$105,000 from the Hormel Foundation for the Main Street Project and \$16,000 for the Christmas light decorations.

The Mayor and Council have been invited to a meeting of the Southern Minnesota Tourism Association on Thursday, February 8 from 9:00 to 12:30 at the Nature Center.

Mr. Dankert noted the Transit Board is financially sound and will not require any funding from the City or County again this year.

Council Member Dick Pacholl reported that the Mower County League of Cities met in Maplevue. A report was given by Austin Utilities on how we might save on our utilities costs.

The County reported on the improvements at the fairground. And Daryl Franklin spoke on hazard mitigation laws. The next meeting will be in Racine on April 19.

Council Member Scott Pacholl said the Austin/Mower County Homeownership Board is developing a new loan program for people who meet income guidelines. The loans are for small fix-up projects.

Council Member-at-Large Christopherson questioned the variance of APC that was tabled at the previous meeting. Mr. Hoversten said the Council would have to make a motion to approve after 60 days. Mr. Erichson said he did not know if APC made a formal request to withdraw the variance; he would find out tomorrow.

The meeting will be closed pursuant to MS§13D.03 regarding labor negotiations.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Austin, closing the meeting pursuant to MS§13D.03.

Moved by Council Member McAlister, seconded by Council Member-at-Large Christopherson, adopting a resolution approving labor contract with LELS for 2007 through 2009. 6-0. Carried.

Moved by Council Member McAlister, seconded by Council Member-at-Large Christopherson, adjourning the meeting to February 20, 2007.

Adjourned: 7:21 pm

Approved: February 20, 2007

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

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