

MINUTES
CITY COUNCIL ADJOURNED MEETING
MONDAY, AUGUST 18, 2008
5:30 P.M.
COUNCIL CHAMBERS

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

MEMBERS ABSENT: None.

STAFF PRESENT: Jon Erichson, Craig Hoium, Tom Dankert, Jeanne Howatt Dan Wilson, David Hoversten, Kim Underwood, and John Mueller.

OTHERS PRESENT: Austin Post Bulletin, Austin Daily Herald. Marv Repinski. Lisa and Jessica Nkhata. Janet Anderson. Marian Clennon.

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, approving the agenda as amended. Carried.

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, approving the council minutes of July 21, 2008. Carried.

Marv Repinski, candidate for the Council Member-at-Large seat, spoke on the immigration meeting which he was planning on attending after this meeting. He referred to the meeting as more of an “anti-immigration” meeting. He said he wanted to represent the middle ground.

A girl scout, Jessica Nkhata, 310 12th Place NW and her leader Lisa Nkhata, addressed Council. Jessica, who is a member of an American Heritage Girl troop in Rochester, is working on a badge for government and community service.

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

Licenses:

Sign Installer: JCT Signs, Austin, MN

Temporary Liquor: Hormel Historic Home, September 27, 2008

Excavation: Ellingson Drainage, Inc., Concord, MN

Tree Removal: Ted Janning Tree Service, Blooming Prairie, MN

Claims:

- a. Pre-list of bills.

- b. Finance Report and Investments
- c. Isaiah Mauseth, 1910 4th Avenue NE, Austin. This claim has been referred to the city attorney to protect the city's interest.
- d. Treavor White, 207 16th Street SE, Austin. This claim has been referred to the city attorney to protect the city's interest.

Carried.

Bids were taken on August 14 for the reroofing of the upper level roof of City Hall and the east side, lower level of Riverside Arena. Bids are as follows:

Contractor	City Hall Upper Level	Arena Roof East Side, Lower Level	Total
Kiker Bros.	\$36,945	\$43,845	\$80,790
All Weather Roof	\$40,356	\$49,720	\$89,576
Interstate Roofing	\$49,606	\$48,892	\$97,000

The total bid is approximately \$12,000 over budget. Mr. Erichson said that based on receiving three bids and that the low bidder (Kiker Bros.) is approximately 10% lower than the next bidder, he did not recommend re-bidding. The \$12,000 overage could be funded through Contingency, which has a balance of \$127,000.

Council Member Dick Pacholl questioned what parts of the roofs are being replaced. Mr. Erichson said the roof over the Engineering Department at City Hall and the roofing over the Youth Activity Center at Riverside Arena are in need.

Moved by Council Member Hecimovich, seconded by Council Member McAlister, adopting a resolution awarding the bid to Kiker Bros, and funding the additional \$12,000 through Budget Adjustment No. 3. 7-0. Carried.

Jim Hurm clarified that only the \$12,000 would come from the Contingency Fund.

The Committee-of-the-Whole has reviewed and prioritized the Hormel Foundation grant applications. The list in priority is as follows:

1. Main Street Project Inc.	\$105,000
2. Smoke alarms	5,000
3. Pedestrian bridge	51,900
4. Pool splash park	150,000
5. Nature Center – 3-years	75,000 (each year)
6. Pool drop slide	50,000
7. Pool climbing wall	<u>25,000</u>
	\$461,900

Council Member Martin was not in attendance at the Committee-of-the-Whole and did forego his input to the priority list.

Moved by Council Member Hecimovich, seconded by Council Member Dick Pacholl, approving the Hormel Foundation grant applications as listed in priority. 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 205 9th Street NW, Williams/Ide 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 911 10th Avenue SE, Jones 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 703 11th Avenue SW, Nguyen 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 1000 11th Avenue SW, Jones property. Carried.

Moved by Council Member Dick Pacholl, 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 1708-1710 22nd Avenue SW, 1st Farmers & Merchants property. Carried.

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, approving the street closing for the Moose Lodge on September 27, 2008. Carried.

Moved by Council Member Hecimovich, seconded by Council Member McAlister, approving the street closing for Crane Chapel on August 22, 2008. Carried.

Jon Erichson proposed the Cook Farm site for the annual fall clean-up again. This would be the only site, and would be open September 27 through November 23, dawn to dusk. The site would be limited to leaves, grass, plants from gardens, and flowers. Compost would be available free, which is the previous year's yard waste.

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, approving the fall yard waste program for 2008. Carried.

The Knights of Columbus gambling premises permit expired June 30. Tom Dankert explained that there was a death in the family of the person responsible for filing the gambling forms, thus the late filing. He reported that they have paid their taxes and actually over-donated \$8000 so they are in compliance with our ordinance. He recommended approval.

Moved by Council Member Hecimovich, seconded Council Member-at-Large Christopherson, adopting a resolution approving gambling premises permit renewal for the Kay Sea Club at the Knights of Columbus. 7-0. Carried.

Before Council are the two Findings of Fact as directed to be drafted by City Attorney David Hoversten regarding the liquor compliance violations.

Moved by Council Member Dick Pacholl, seconded by Council Member-at-Large Christopherson, approving the Findings of Fact and Order regarding the violation of JTS, Inc. Carried.

Moved by Council Member Dick Pacholl, seconded Member-at-Large Christopherson, approving the Findings of Fact and Order regarding the violation of JCH Restaurants, LLC. Carried.

The Human Rights Commission has requested a change to the ordinance section for the Commission. The suggested change would add wording allowing the Commission to choose two co-chairs rather than a chair and vice-chair.

Council Member Dick Pacholl questioned the need for the change as the Commission already has a vice president and a president. He asked who is in charge if they're not there. Jim Hurm explained that the Commission is currently using this co-chair system as this is in the Bylaws, so there is a discrepancy. Mr. Hurm said this doesn't add officers, it just offers the option of using a chair and co-chair. Council Member Dick Pacholl said he preferred the old system.

Janet Anderson, 305 6th Street NW and Chair of the Human Rights Commission, spoke to Council. Currently, the Human Rights Commission has been operating this way for the last two years, and it makes for continuity. When Anderson is not there, Sue Stephenson runs the meeting. It is not a huge change, she said, just a technicality.

Moved by Council Member Austin, seconded by Council Member Martin, to prepare the ordinance. 6-1. Carried. Council Member Dick Pacholl voted nay.

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, for adoption and publication of the ordinance. 6-1. Council Member Dick Pacholl voted nay.

This is the first reading of the ordinance but was noted approved unanimously. The second reading will be on September 2, 2008.

Reports: Council Member McAlister attended a meeting in the Twin Cities for public TV with the local manager. He spoke of computer technology and HDTV and the possibilities for obtaining grants. He does not know what will happen, but this could answer attempts to address different audiences.

Council Member-at-Large Christopherson reminded Council to forward questionnaires on the Park & Rec Director position to Trish Wiechmann by Friday, August 22.

Jim Hurm received a letter from Greg Downing from the Environmental Quality Board regarding a citizens' petition for an EAW on the Robbin's block. The EQB has reviewed the facts and determined that the City is *not* the proper regulating governmental unit (RGU). Mower County should be assigned, Downing reported.

Council Member Hecimovich asked for an update on the Lansing annexation project. Mr. Erichson reported that mediation occurred at the end of July. It was determined that the mediated agreement should be prepared by the townships and county. This will be added to an upcoming work session when it is ready. Mr. Erichson said that part of the agreement does change the footprint of the original annexation petition. The urban developed area is still included. The rural portion is removed.

Moved by Council Member Hecimovich, seconded by Council Member-at-Large Christopherson, adjourning the meeting to September 2, 2008. Carried.

Adjourned: 6:00 pm

Approved: September 2, 2008

Mayor: _____

City Recorder: _____