

MINUTES
CITY COUNCIL CHARTER MEETING
November 2, 2009
5:30 P.M.
Council Chambers

MEMBERS PRESENT: Mayor Stiehm. Council Members Brian McAlister, Jeff Austin, Dick Pacholl, Steve King, Marian Clennon and John Martin. Council Member-at-Large Janet Anderson.

MEMBERS ABSENT: None.

STAFF PRESENT: Jon Erichson, Craig Hoium, Tom Dankert, Jeanne Howatt, David Hoversten, Kim Underwood, Ann Hokanson and Paul Philipp.

OTHERS PRESENT: Post Bulletin, Austin Daily Herald. Matt Simonson. Garry Zech.

Removed from the agenda: Approving the sale of 2900-square-foot parcel adjacent to old library lot.

Moved by Council Member Austin, seconded by Council Member Pacholl, approving the agenda as amended. Carried.

Moved by Council Member King, seconded by Council Member Austin, approving the minutes of October 19, 2009. Carried.

Garry Zech, 1007 5th Avenue NW, spoke to Council. Mr. Zech has been charged with illegal parking of a trailer in his yard. He explained that the complaint came out of a dispute with his neighbor, that his neighbor called in the complaint out of revenge. Mr. Zech asked Council to review the ordinance before he is required to move the vehicle. He has parked the trailer in his yard since 1972. His property, he said, is very neat. Community Development Director Craig Hoium said the Building Department does not review cases, generally, unless there is a complaint. He said he is allowing the recreational vehicle to be parked until the end of this year but in January, a new cycle would start and the vehicle would need to be moved after seven months. (A recreational vehicle may only be parked for seven months in an R-1 District.)

Matt Simonson, 606 7th Avenue SE, complained to Council once again regarding his two impounded cars. The two cars have been removed due to non-licensing and inoperability. Mr. Simonson feels he is being discriminated against.

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

Licenses:

Change of Name: Austin Motel to Rodeway Inn & Suites (same owner)

Food: Courtesy of Rochester, LLC, Onalaska, WI dba McDonald's - 1009 W. Oakland Avenue

Food: Courtesy of Rochester, LLC, Onalaska, WI dba McDonald's - 1402 14th Street NW

Claims:

- a. Pre-list of bills.

Carried.

A public hearing was held for the 1985 deferred assessments, Sec 10-102-18. This assessment has been paid in full. No action was required. No comments were made.

Moved by Council Member Pacholl, seconded by Council Member Martin, adjourning the public hearing. Carried.

A public hearing was held on assessments for snow removal, 2008-2009. Property owners who do not shovel sidewalks abutting their property are charged 50¢ per linear foot. If these charges are not paid, the City may assess those costs to the owners' property taxes.

Moved by Council Member Austin, seconded by Council Member McAlister, adopting a resolution approving 2008-2009 snow removal assessments. 7-0. Carried.

A public hearing was held on assessments for miscellaneous sidewalk projects. Property owners may ask for additional sidewalk to be replaced during the construction projects. Those owners then sign an agreement and are charged contract price rate.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution declaring the cost of assessments for miscellaneous sidewalk projects. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member Pacholl, adopting a resolution approving the cost of assessments for miscellaneous sidewalk projects. 7-0. Carried.

A property owner, Donna Johnson, has applied and is eligible for the assessment deferral program. In order to be eligible, the applicant must pass certain age and income guidelines as well as being the home owner. The assessment would be deferred with interest.

Moved by Council Member Austin, seconded by Council Member Pacholl, adopting a resolution approving the deferred assessment for Donna A. Johnson. 7-0. Carried.

The Chamber of Commerce has requested the use of the portable stage and the use of Main Street from 4th Avenue to 1st Avenue for the Christmas in the City kickoff scheduled for Friday, November 27.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, approving the requests from the Chamber of Commerce for Christmas in the City. Carried.

Moved by Council Member Austin, seconded by Council Member McAlister, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 304 12th Avenue SW, Miller property. Carried.

Moved by Council Member Austin, seconded by Council Member King, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 600 9th Avenue NW, Countrywide Home Loans property. Carried.

Moved by Council Member Austin, seconded by Council Member Pacholl, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 2116 5th Avenue NE, Whitman property. Carried.

Moved by Council Member Austin, seconded by Council Member King, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 913 2nd Avenue NE, Calderon property. Carried.

Due to the jail/justice center agreement with the County, an ordinance establishing one of the parking lots for snow emergency parking in the downtown must be amended. The parking lot described as the "old library parking lot" at 1st Street and 2nd Avenue NW was transferred to the County; therefore, that parking lot must be removed from the ordinance as an allowable parking lot during snow emergencies. The other two parking lots available for parking during snow emergencies are the parking lot at the swimming pool and the parking lot north of Brick Furniture. Council Member-at-Large Anderson confirmed with City Engineer Jon Erichson that the two parking lots remaining provide for adequate parking.

Moved by Council Member Pacholl, seconded by Council Member Austin, for preparation of the ordinance. Carried.

Moved by Council Member Pacholl, seconded by Council Member Austin, for adoption and publication of the ordinance. 7-0. Carried.

Moved by Council Member Pacholl, seconded by Council Member King, adopting a resolution approving On-Sale Hard Liquor license for Custodio Serrano & Jeorgina

Maldonado de Serrano dba El Parral, 210 4th Street NE. (This location is at the old Vineyard Church/Terp Ballroom building.) 7-0. Carried.

REPORTS

Council Member Clennon reported she attended the recent LMC Regional meeting in Stewartville. Also in attendance were Council Member McAlister, Council Member-at-Large Anderson, and Mayor Stiehm.

Council Member-at-Large Anderson attended the annual CVB meeting at which a representative from Explore Minnesota and the Mn Department of Tourism spoke.

Public Works Director Jon Erichson reminded citizens that the yard waste program at the Cook Farm Industrial Park is underway and will be open through November 29.

Moved by Council Member Austin, seconded by Council Member Pacholl, adjourning the meeting to November 16, 2009.

Adjourned: 6:00 pm

Approved: November 16, 2009

Mayor: _____

City Recorder: _____