

**M I N U T E S**  
**COMMITTEE-OF-THE-WHOLE WORK SESSION**  
**June 15, 2009**  
**City Hall Conference Room**  
**6:15 pm / Immediately following council meeting**

**PRESENT:** Mayor Stiehm, Council Member-at-Large Anderson, Council Members McAlister, King, Clennon, and Pacholl.

**ABSENT:** Council Members Austin and Martin.

**STAFF PRESENT:** Community Development Director Craig Hoium, Parks and Recreation Director Kim Underwood, Public Works Director Jon Erichson, Administrative Services Director Tom Dankert and City Administrator Jim Hurm.

**ALSO PRESENT:** Firefighter Troy Tigner, John Garry, Sandy Forstner, Public, KAAL TV-6, Austin Post Bulletin and Austin Daily Herald.

Mayor Stiehm opened the meeting at 6:15 pm.

**Item #1. – Chamber of Commerce’s request to board up entire downtown fire area:** Mr. Hurm noted he has a request from the Chamber of Commerce to board up the fire area, the estimated cost of which would be around \$3,400. This amount would secure both the front and back of the facility. Mr. Hurm questioned if the building would be safer by boarding up both sides.

Sandy Forstner, Executive Director of the Chamber of Commerce, stated that this is a public safety issue and somebody could get hurt at this scene. We will have thousands of people watching the parade and we wouldn’t want anybody getting hurt during this festival.

Mr. Erichson stated we do not have funds programmed in to the original \$20,000 that Council approved for doing some minor cleanup of this property.

Council Member King stated his initial response is to just rope this area off for now. We can use police tape or cones/barricades and not allow people to sit in this area. This would not be money well spent for the \$3,400.

Council Member-at-Large Anderson thought that perhaps the June 23<sup>rd</sup> court date could provide some resolution. Mr. Erichson said this is not possible, as the court’s actual decision, whenever it may come, will not provide us enough time to remove the structure.

Mayor Stiehm stated this could be another two months before it is resolved. Mr. Erichson added that if the upcoming hearing is contested, it could be longer than two months. He reiterated that this land is actually private property, not city property.

Motion by Council Member McAlister, seconded by Council Member-at-Large Anderson, to recommend that the City Engineer visit the site to see what improved barricades could be

provided for the site to improve safety. Before the motion could be voted on, further discussion ensued.

Mr. Forstner stated there will be a lot of people downtown for this festival, and at what point do we do something about this.

Council Member Pacholl stated this area is an eyesore and safety hazard, so maybe a fence would help its appearance. Council Member King stated that this is private property, and we must let the court process take its course.

Council Member Clennon questioned if we had fencing to use. Mr. Erichson noted we have on hand some of the plastic orange construction fencing we could use. Council Member Clennon questioned if Mower County would have something better. Mr. Erichson stated they use the same type of fencing that we have (orange construction).

Mr. Forstner then questioned if just the front could be boarded up in the name of public safety. Mr. Erichson countered by noting if it is truly about public safety, then you cannot just board up one of the sides for half of the cost.

After further discussion, a vote was taken on the original motion to just have the City Engineer visit the site to see what improved barricades could be used. Carried 5-0.

**Item #2. – Chamber of Commerce request to not raise taxes or fees:** Mr. Forstner stated his letter to the editor and council speaks for itself on the Chamber's position on no new taxes or fees.

Mr. Hurm stated the City of Austin should not be thrown into the same classification as "big" government in this case by the Chamber of Commerce. Mayor Stiehm noted the request by the Chamber is also to bring employees and their bargaining units together to renegotiate. Mayor Stiehm stated the contracts are in place but we need employee cooperation to do this.

Council Member Pacholl stated the state auditor has praised us in the past for our financial position. If we start drawing our funds down now it will cause bigger problems in the future.

Council Member Clennon stated the City of Austin needs to work with the Chamber of Commerce on this issue, not just send them a letter that looks more like we are attacking them for their decisions. We need to take their suggestions to heart.

Council Member McAlister questioned what the Chamber's suggestions really were. The only thing I pulled out of their request is that we should not raise taxes or fees and we should go after the employees to cut costs (and provide the same service levels). Council Member McAlister stated if we get cut \$1 million, I will end up picking things I like to fund, but they may not be what every other council members wants to fund. For example, the ice arenas are of no use to me, so why spend money on these. The same could be said for the municipal pool. The point is that everybody places a different level of importance on different programs and projects. Council Member McAlister stated consensus will be difficult, but to not raise taxes or fees in order to get there would be tough.

Mayor Stiehm stated no one wants to raise taxes or fees, but we don't want to lay people off either.

Council Member-at-Large Anderson stated she would not take the city's response as an attack on the Chamber. There is a definite advantage to having a dialogue with the Chamber.

Mr. Forstner questioned where we go from here. Our point, stated Mr. Forstner is that Council needs to consider where the funds will come from. Unemployment is up, homes are falling to foreclosure, hours and wages of workers in our community have been cut, and business revenue is down. Where is additional revenue going to come from stated Mr. Forstner? We have a problem here and it cannot be business as usual. Things have to be tightened up, and government has to be part of the solution.

Council Member-at-Large Anderson stated no decisions have been made. We don't think that *none* of our LGA should be cut; we just want to make it clear that LGA should not be *totally* cut to solve the state's crises.

Mr. Forstner stated our citizens are getting by with less and we all can get by with less.

Mr. Hurm stated the point of our memo is to show citizens that we have been doing more with less.

Council Member King stated he knows Mr. Forstner is a watchdog, but this issue flies in your face for the last discussion we just had about the city spending \$3,400 for the 4<sup>th</sup> of July to board up the fire area. We should pay for a fence yet don't raise taxes. Council Member King stated you cannot have it both ways, and the City has been fairly responsible with the taxpayer's dollar.

Mr. Forstner stated we need to ask the employees to forgo wage increases to save \$300,000. Public safety is important (the fence around Mi Tierra). Council Member-at-Large Anderson stated we have been working on the Mi Tierra problem as we legally have to.

Mayor Stiehm stated the Chamber has given us some valuable information that we need to keep in perspective. However, the City needs to do what we have to do.

Mr. Forstner stated the essential question is will the City ask the taxpayers to pay more for basic services.

Mayor Stiehm stated it is not us against the Chamber, we need to work together.

**Other Item:** Mr. Hoium stated he is working on re-drafting an ordinance we have regarding repetitive losses for property in the flood plain. FEMA's requirement allows improvements to a structure equal to 50% of the structure at the time of event. Our ordinance aggregates all prior damage into this calculation, not segregating each episode and then wiping the slate clean. Mr. Hoium stated he would like to revise our ordinance to more closely match FEMA's. Mr. Hoium noted this is typical language for a non-conforming use structure (our current ordinance).

Motion by Council Member Dick Pacholl, seconded by Council Member-at-Large Anderson to recommend this proposed ordinance revision be brought back to the next work session. Carried 5-0.

**Item #4. – 2010 legislative session bonding bill project applications:** Mr. Hoium noted a joint powers agreement exists between Austin and Albert Lea for the future development of the Blazing Star Trail between the two communities. Mr. Hoium stated the DNR administers this development and has responsibility for maintaining the trails once they are completed. Mr. Hoium noted at the last joint powers board meeting that the current trail in process (Helmer-Myre State Park to Hayward) is funded by the DNR in the amount of \$1.4 million, however the estimates now are that this will not be enough money. They may be short by as much as \$2 million. Mr. Hoium stated eventually the council will be asked to support a funding request by the joint powers board and the DNR as part of the bonding bill process. The deadline to use the funds is 2010.

Council Member McAlister questioned if there is any study that shows if anybody is actually using these trails. Mr. Hoium stated there is information out about trail use.

Mr. Hoium stated this is just an update for Council and no action is required.

Mr. Erichson noted he will be applying for flood funding in the bonding bill request. Mr. Erichson stated the bonding bill funds 50% of projects, and we are looking at additional funding help for the North Main flood project (phases 3-7), the swimming pool area (phase 2), and in the area by Kuehn Motor Company (phase 11).

Mr. Erichson stated phase 3-7 has a \$2.5 million grant that we are waiting final official approval for (tonight we approved the archeological study for the area), and this should be the last roadblock to finally receiving grant approval. The total estimated cost of this project is \$9.25 million, for which the DNR may have some extra funding available. This project will not get done in 2009.

This is for informational purposes also.

**Item #3. – Bioscience Town Meeting Initiative – John Garry:** John Garry of the DCA went through a PowerPoint presentation regarding an upcoming meeting on Thursday, August 20 from 6-9 p.m. at Riverland Community College (West Building). Mr. Garry stated he wanted to engage Council in this discussion as the DCA needs to gain council's support and active participation in this process. The goal is to elicit council's help in recruiting people to attend the upcoming town meeting. The Town Meeting Initiative (TMI) uses asset mapping as a tool for understanding community resources and engaging residents in developing a shared vision and brain storming new ideas. This is being funded via a grant from the Southern Minnesota Initiative Foundation. The TMI will identify and leverage community strengths and help residents in developing ideas and a shared vision.

Council Member-at-Large Anderson stated it is important for the community to come out to this meeting. Mr. Hurm agreed, noting that if Council needs extra copies of this handout, we can make them for council to give to participants at other events they may be attending.

**Item #5. – Budget Adjustment #1 – 2008 Budget Carryovers:** Mr. Dankert noted that annually, council needs to look at those items that were requested from the prior year but did not get done, and re-appropriate funds (if they so desire) in order to fund the project for the next fiscal year. Mr. Dankert noted many more things were originally asked to be carried over, but after further discussion between administration and the departments, the rest of the items will be put into the new budget and capital improvement plan for 2010 and beyond. Mr. Dankert outlined the carryover requests as follows:

- Senior Center roof replacement – this \$38,750 was not completed because we wanted to combine it with the addition at the Senior Center, so that the roof would have the same look (and hopefully save some dollars by doing it jointly).
- T.H. 218 to I-90 Trail – This \$125,000 is actually funded via a grant.
- Street lights behind Wal-Mart – This \$15,000 actually was contracted out by December 31, 2008 but the work was not done until just recently.
- Energy audits at the WWTP – This \$25,000 will be paid for via the sewer user fees and will hopefully identify ways we can reduce our energy usage/costs.

Additionally, Mr. Dankert noted we had set aside \$50,000 in the General Fund in 2008 out of the tax levy, plus we received a grant of \$50,000 (year 1 of 5) from the Hormel Foundation for soccer fields. Originally this project was going to be funded out of the General Fund (in 2008), but because the soccer fields were all rolled together we need to hold onto the appropriations until we have enough “banked” to cover the costs. With this process in mind, we would like to transfer the unused \$95,800 in funding (this sits in fund balance at 12/31/08) to the Building Fund. All future expenditures and grant receipts from the Hormel Foundation will now be handled through the Building Fund.

Motion by Council Member Pacholl, seconded by Council Member King to recommend approval of budget adjustment #1 to council. Carried 5-0. Item will be added to the next council agenda.

**Item #6. – Council discussion on a committee-of-the-whole vs. multiple committee structure and participation in the evaluation process:** Mayor Stiehm noted we had discussed this at the last work session. Council Member Clennon clarified that she would like council, or some of the council, to take part in the evaluation process with the department heads on a face-to-face basis, maybe as part of a committee on evaluations.

Council Member Pacholl stated he does not know how he could evaluate most department heads, as the ones he deals with are very cooperative and get things done.

Council Member McAlister stated he thought we handled this issue last time. Mayor Stiehm stated it ended up with a confusing vote with two council members wanting to participate, three not wanting to participate, and two abstaining from the vote.

Council Member Clennon stated we have somebody representing the Library Board and the Parks and Recreation Board on the evaluations of there department heads, so why not one for Human Resource issues at the city? Council Member Clennon stated we need to be connected to all of the departments. Council Member McAlister stated the Library and Park/Recreation Boards are needed that way as the charter states this is how those two Boards are

created/operated. Council Member McAlister questioned what the whole point of participating in the evaluations is for. Council Member Clennon stated she wants to hear feedback on what the city council can do for them.

Council Member King stated the Mower County Commissioners have no idea what I do at Mower County on a daily basis, so how could they effectively evaluate me.

Mayor Stiehm noted that would be a concern of the department heads in that how can council evaluate them when they do not even know what I do every day.

After further discussion, motion by Council Member King, seconded by Council Member Pacholl to table the discussion until the other two council members can be present. Carried 5-0.

**Other Item:** Mr. Hurm noted we have a letter from Mower County stating that training will be held August 19 from 6:00 to 9:00 at the Mower County Courthouse for the Board of Review. Discussion ensued about using council members again to hear objections to the valuations of citizens' property. Council Member King stated it was very uncomfortable to do this, and kind of creates a conflict as we are the governing body.

Council Member McAlister questioned if we could tap some of the participants that were in the Leadership Austin or Blandin Foundation groups. Mr. Hurm stated he would try to enlist some of the Leadership Austin and Blandin Foundation participants to be our Board of Review for next year.

**Item #7. – Matters In Hand:** Mr. Hurm noted the only thing here is the evaluations, which we just discussed earlier tonight.

**Other Item:** Council Member-at-Large Anderson requested a tour of Packer Arena at a future work session, as this may be a facility we will have to shut down due to future LGA reductions. Mayor Stiehm stated it should be optional to visit the facility for council, as some may have already been in the facility.

Council Member-at-Large Anderson stated Chief Wilson did a great job presenting at rotary today. If it could be done in thirty minutes or less, I would like the Fire Chief to give this presentation to council later this fall. No objections noted.

Motion by Council Member King, seconded by Council Member Pacholl, to adjourn the meeting. Motion passed unanimously. Meeting was adjourned at 7:48 pm.

Respectfully submitted,

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Tom Dankert