

**MINUTES**  
**CITY COUNCIL ADJOURNED MEETING**  
**MONDAY, SEPTEMBER 20, 2010**  
**5:30 P.M.**  
**COUNCIL CHAMBERS**

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

**MEMBERS ABSENT:** None.

**STAFF PRESENT:** Jon Erichson, Craig Hoium, Tom Dankert, Jeanne Howatt, David Hoversten, Mickey Healey, Brian Krueger, and Kim Underwood.

**OTHERS PRESENT:** Austin Post Bulletin, Austin Daily Herald. Public. Council member candidates Jeff Bednar and Judy Enright.

The meeting was called to order at 5:30 pm.

Moved by Council Member Austin, seconded by Council Member King, approving the agenda. Carried.

Moved by Council Member-at-Large Anderson, seconded by Council Member Pacholl, approving the minutes of September 7 and special council meeting minutes of September 13, 2010. Carried.

Mayor Stiehm read a proclamation to bring awareness to potential home heating hazards including fires and carbon monoxide poisoning and endorsing the “HEAT’S ON” (Handicapped and Elderly Assistance to Service Our Neighbors) program, which was started in Minnesota and is now a national model, which provides free heating equipment safety inspections, including smoke alarm check-ups, to low-income seniors and disabled homeowners around the nation.

Moved by Council Member Austin, seconded by Council Member McAlister, approving the consent agenda as follows:

Licenses:

Food Transfer: Applebee’s Restaurant North LLC to Apple Minnesota LLC,  
Independence, OH  
Master Plumber: Twin City Re-Bath, Northfield, MN  
Temporary Hard Liquor On-Sale: Austin Jaycees (September 17)  
Cigarette: Maya Liquor Store, 3401 Oakland Avenue W., Austin

Claims:

- a. Financial and Investment Reports.
- b. Pre-list of Bills.

Carried.

A public hearing was held for the rezoning of property from an R-1 Single-Family Residential District to an I-1 Limited Industrial District petitioned by Roe Naylor and Denny Bednar for property located in the 1300 block of 10<sup>th</sup> Drive SE.

The Planning Commission reviewed this request at its September 14<sup>th</sup> meeting. The request is to make the four separate parcels' zoning classification in compliance to the petitioners' current light industrial land use for a storage facility building. Two of the parcels are owned by Roe Naylor, and two parcels are owned by Denny Bednar. The current zoning is R-1 which was a required zoning classification when it was annexed from Austin Township; this is according to city ordinance. Community Development Director Craig Hoium said discussion during the Planning Commission meeting revolved around compatibility with surrounding land uses. The Planning Commission has recommended approval. Council Member Steve King confirmed with Mr. Hoium that this is a similar request.

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 Austin, seconded by Council Member King, adopting a resolution approving \$175,000 of remaining DEED grant funds for flood property acquisition. 7-0. Carried.

Moved by Council Member King, seconded by Council Member-at-Large Anderson, adopting a resolution approving a sidewalk replacement and assessment policy. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution granting transfer of hard liquor on-sale and Sunday hard liquor license for Applebee's. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member Pacholl, resolving the City Council into the Board of Adjustments and Appeals. Carried.

The City has received an off-street parking appeal submitted by Sam Nguyen for the proposed redevelopment of his recently acquired property previously known as the Austin Drug building and located at 501 1<sup>st</sup> Street NW. The appeal to off-street parking results from a review of building plans at the location. Community Development Director Craig Hoium noted that an ordinance does specify that for properties in a B-3 District (which this is in), up to 100% of off-street parking may be waived by the Board of Adjustments and

Appeals when there are stalls provided in municipal lots within 300 feet of the property. Mr. Hoium noted that there are 38 stalls in the Nemitz parking lot (8 are leased), and 72 stalls are available in the Austin Drug parking lot (11 are leased). In calculating the required number of stalls for the previous building retail use of 5171 square feet, 30 stalls were required. With this proposed building use change, an additional 12-14 stalls are needed. Mr. Hoium noted that another section of the ordinance allows the business owner to provide 75% off street if there is mixed use. That would increase the appeal to 2-4 stalls. The Planning Commission recommended approval by 8-0 vote.

Moved by Council Member Austin, seconded by Council Member King, approving the off-street parking appeal from Sam Nguyen, 501 1<sup>st</sup> Street NW. Carried.

Moved by Council Member Austin, seconded by Council Member McAlister, adjourning the Board of Adjustments and Appeals and resolving back into the City Council.

Moved by Council Member Austin, seconded by Council Member Pacholl, approving a city representative to administer animal licenses at the Veterinary Medical Hospital, 803 18<sup>th</sup> Avenue NW on Tuesday, September 28, and offering the licenses free of charge September 27 through October 1. Carried.

Moved by Council Member Austin, seconded by Council Member McAlister, adopting a resolution approving an off-sale liquor license for Maya Parkash/Rohan Enterprises, LLC dba Maya Liquor Store, 3401 Oakland Avenue W., Austin. 7-0. Carried.

## REPORTS

Council Member McAlister noted that the Main Street Project/Jaycee's street dance was very well attended; several council members were in attendance.

Council Member attended a Mower County Community Health Services Advisory Committee meeting. They reported that the 2010 H1N1 pandemic is over. Also, we are now into a new flu season and they recommend shots. As part of the SHHP program, 44 bike racks were provided to the county.

Council Member Martin thanked Fire Chief Mickey Healey for his recent (August 2010) report. Also, he noted that the media (Austin Daily Herald) has reported that he voted yes on the recent proposed budget/tax levy resolution. He, in fact, voted no and asked that a correction be printed.

Council Member Clennon attended the League of Minnesota Cities Policy Committee meeting on September 13; the Committee finalized recommendations to address the Legislature. One of the issues discussed was the airport safety zone. The FAA requires a certain distance; Minnesota requires double that distance. Some cities would like to develop in those areas and so are pushing to move the safety zone back in. Council Member Clennon also reported that the United Way held their annual kickoff on September 15. Council Member King, who was also in attendance, stated that the goal this year is \$960K. Council Member Clennon said discussion at the City-County

Committee meeting of September 15 was on the levies of each of the governmental entities. Also discussed was a proposed regional dispatch. The Mower County League of Cities met September 16 in Rose Creek. Council Members Pacholl, Anderson and Clennon attended. State and County candidates spoke at the meeting. Re-Fest was held on September 18, which was also the date of the small business expo at the mall.

Council Member King said he umpired the softball game between the Police Department and the Fire Department. Proceeds went to the County's mentoring program.

Council Member-at-Large Anderson thanked Fire Chief Mickey Healey for his activity report. Council Member-at-Large Anderson also reminded everyone of the 5<sup>th</sup> Annual Day of Caring scheduled for September 25. Also, the Community Growth Initiative Speak Out event to be held September 23 at El Parall will bring people together to learn about the current immigrant workforce, discuss areas of needed growth, share project ideas, and help choose community projects.

City Administrator Jim Hurm reminded Council of the League of Minnesota Cities Regional Meeting in Ely on October 6. And, on October 6, the Fire Department requests a street closing on 1<sup>st</sup> Street NE in front of the station for its annual open house on October 4. Chief Healey said he realizes that is a council meeting night, but it was the best night for his department. He invited Council to attend.

Park & Rec Director Kim Underwood said the Nature Center has received the Legacy Grant. There is no cost to the City. October 2<sup>nd</sup> the Bruins will play their first game. And Halloween Warm-up tickets are available now at South Central Athlete.

City Engineer Jon Erichson reminded everyone of the fall yard waste program running September 25 through November 28 this year. The dump site is located at the Cook Farm Industrial Park and is open dawn to dusk. Dumping is limited to grass, leaves and garden waste. Compost is available.

Mayor Stiehm announced a citizens' meeting to discuss a dog park. The meeting will be held at 7:00 pm on Tuesday, September 21 at the library.

Moved by Council Member Austin, seconded by Council Member King, adjourning the meeting to August 2, 2010. Carried.

Adjourned: 5:55 pm

Approved: October 4, 2010

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

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