

**MINUTES**  
**CITY COUNCIL CHARTER MEETING**  
**MONDAY, OCTOBER 18, 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.

MEMBERS ABSENT: None.

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

OTHERS PRESENT: Austin Post Bulletin, Austin Daily Herald. Police Officers Rian Jones and Kristoffer Stein. AU General Manager Jerry McCarthy and (newly hired) AU General Manager Mark Nibaur.

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 King, approving the minutes of October 4, 2010. Carried.

Mayor Stiehm introduced the two newest police officers: Rian Jones and Kristoffer Stein. Outgoing Austin Utilities General Manager Jerry McCarthy introduced the new general manager, Mark Nibaur.

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

Claims:

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

Carried.

Council is requested to approve modification of the terms of the loan agreement with the Eagles Club. The Committee-of-the-Whole has recently reviewed and recommended approval.

Moved by Council Member Austin, seconded by Council Member McAlister, adopting a resolution approving the modification of the terms of the loan agreement with the Eagles Club. 7-0. Carried.

Mower County Emergency Management has drafted an updated All Hazard Mitigation Plan. Community Development Director Craig Hoium had this reviewed by our National Floodplain Insurance coordinator who sees no adverse effects or reduction in our rating. Mr. Hoium and the Engineering staff recommend approval.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution approving the Mower County All Hazard Mitigation Plan. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member McAlister, adopting a resolution setting a public hearing for November 15 on proposed assessments. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, resolving the City Council into the Board of Adjustments and Appeals. Carried.

On October 12<sup>th</sup>, the Planning Commission reviewed a parking appeal requested by Clasen Jordan Mortuary. Council is requested to review this appeal pursuant to City Code Section 11.42 which allows the Board of Adjustments and Appeals to waive all or some of the off-street parking requirements within a B-3 District. With the waiver, there needs to be adequate public parking stalls within 300 feet of the building use. Community Development Director Craig Hoium noted three public parking lots fall within 300 feet of the mortuary: Austin Drug lot, the Nemitz lot, and the Library lot. The approximate number of available stalls to Clasen Jordan is 266-309. Mr. Hoium showed elevations and drawings of the proposed expansion which include handicapped bathrooms, office and chapel space. The Planning Commission recommended approval by a vote of 7-0.

Moved by Council Member-at-Large Anderson, seconded by Council Member Austin, approving the off-street parking appeal submitted by Clasen Jordan Mortuary. Carried.

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

Moved by Council Member Austin, seconded by Council Member Pacholl, setting a public hearing for November 1 on the Floodplain Management Plan. Carried.

The City has received a signed Petition and Agreement for sidewalk replacement and assessment from Pauline Parker, property owner. The petitioner agrees to an amount not to exceed \$2248.30 for sidewalk improvements to be assessed over ten years at a 5.5 % interest rate.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution approving the Petition and Agreement for Sidewalk Replacement. 7-0. 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 illegally stored vehicles at 708 7<sup>th</sup> Avenue NW, Ayala property. Carried.

#### Reports

Council Member Clennon attended the Regional LMC meeting in Eyota and heard from other state legislators.

Council Member-at-Large Anderson also attended the Regional LMC meeting and, in one session, learned about the status of LGA.

Public Works Director Jon Erichson said the County and City have been included in the Presidential Declaration for disaster and will be meeting with FEMA. The original assessment for public infrastructure damage is \$256,000. The City can now do more specific damage assessing and seek reimbursement which would be 75% from federal government and 15 % from the State.

Mayor Stiehm questioned the damage rate. Mr. Erichson said the flood was the sixth highest flood of record, but public infrastructure damages are “considerably down.” There are no definite figures, he noted, but it appears that our flood mitigation efforts are beginning to pay off.

Fire Chief Mickey Healey provided Council with the September 2010 Activity Report. He noted that he was very impressed with the smooth operation during the recent flood.

Moved by Council Member Austin, seconded by Council Member King, adjourning the meeting to November 1, 2010. Carried.

Adjourned: 5:47 pm

Approved: November 1, 2010

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

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