

**MINUTES**  
**CITY COUNCIL MEETING**  
**February 7, 2011**  
**5:30 pm**  
**Council Chambers**

MEMBERS PRESENT: Mayor Stiehm. Council Members Jeff Austin, Brian McAlister, Steve King, Roger Boughton, Judy Enright and Marian Clennon. Council Member-at-Large Janet Anderson.

MEMBERS ABSENT: None

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

OTHERS PRESENT: Post Bulletin, Austin Daily Herald. Public.

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 Boughton, Council Member King, approving the minutes of January 18, 2011. Carried.

Mayor Stiehm recognized City Engineer Jon Erichson who was recently awarded the 2010 Engineer of the Year award from the City Engineers Association of Minnesota.

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

Licenses:

Commercial Hauler: Waste Management of S. Mn., Clarks Grove, MN  
Exempt Gambling (raffle): United Catholic Schools @ St. Edward's, April 9  
Food: Domino's Pizza, 106 S. Main Street  
Garbage Hauler: Waste Management of S. Mn, Clarks Grove, MN  
Massage Therapist: Patrick Whalen, Austin  
Master Plumber: James McDermott & Sons, 1105 24<sup>th</sup> Avenue SW  
Master Plumber: Schmitz Electric, Adams, MN  
Temporary Liquor: Austin Catholic Schools @ 2001 2<sup>nd</sup> Avenue NW, April 9

Claims:

- a. Pre-list of bills
- b. Mark Bliese, 1003 4<sup>th</sup> Street NW. This claim was forwarded to the city attorney to protect the city's interest.
- c. Sara Wood, 602 19<sup>th</sup> Street NW. This claim was forwarded to the city attorney to protect the city's interest.
- d. Dawn Mueller, 61884 230 Street. This claim was forwarded to the city attorney to protect the city's interest.
- e. Andy Greenman, 2104 5<sup>th</sup> Avenue SE. This claim was forwarded to the city attorney to protect the city's interest.
- f. Willie Granholm, 2013 7<sup>th</sup> Avenue NE. This claim was forwarded to the city attorney to protect the city's interest.

Carried.

A public hearing was held on assessments for 2010 snow removal, 2010 junk removal, and 2010 weed removal (remaining properties).

The three remaining properties to be assessed were included with the 2010 snow, junk and weed removal assessments from fall of 2010. At that public hearing, four property owners with assessments had issues with their assessments. City Attorney David Hoversten advised that those assessments could be removed and re-assessed at a later time. Since that time, one property owner has paid their assessment. The assessments are together so there would be just one fee to the County.

Moved by Council Member Austin, seconded by Council Member McAlister, adopting a resolution adopting the assessments. 7-0. Carried.

Three weeks ago, city staff met with the Cedar River Watershed District to review the proposed North Main flood mitigation project and to verify requirements of the CRWD for that project. With the proposed rules, permitting would be required along with certain mitigation efforts. The CRWD's request would include expanding modeling of the area downstream of 4<sup>th</sup> Avenue NE and converting the model to include unsteady flow. The unsteady flow would include looking at water storage. The City has received a proposal from SEH not to exceed \$16,500. The Soil and Water Conservation District has agreed to allow the use of the modeling previously performed by Barr Engineering and the costs will be reduced accordingly. The funding will come from the local option sales tax and a DNR grant.

Council Member McAlister asked if the CRWD could require the rules to be retroactive. City Engineer Jon Erichson said that at the time the project was developed, no CRWD rules were in place and no permits were required of them so it is our contention that because of our long-range planning, this project should be exempt. The project was set up in 12 phases. Approximately \$2.5 million has been spent to date. This request – to forego additional modeling – is still in front of them.

Council Member Clennon questioned the need for modeling upstream. Mr. Erichson said

the upstream modeling would be included with this. It is a computer model base.

Moved by Council Member Boughton, seconded by Council Member Austin, adopting a resolution approving the expenditure of funds for modeling requirement for the North Main flood mitigation project. 7-0. Carried.

Climb Theatre, Inc. has applied for a gambling premises permit for Lefty's Bar.

Council Member McAlister questioned the fact that the organization has not performed in Austin this year. Administrative Services Director Tom Dankert noted that this is a two-year permit and so it is very possible that they will meet requirements within that time.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adopting a resolution approving gambling premises permit for Climb Theatre, Inc. at Lefty's Bar. 7-0. Carried.

The city council annually reviews the cost of our assessments. Our goal, noted City Engineer Jon Erichson, is to assess fifty percent of the project. Last year we did not accomplish that goal. Assessment rates have not been raised since 2008. Mr. Erichson stated the proposed increases were kept as small as possible. For example, a residential property owner with 75 feet of frontage would be charged an additional \$75 (and if not paid upfront would be divided out over a 15-year assessment).

#### Residential

	<u>2011 Rate</u>
Sidewalk (4" thick)	\$ 3.60/ Sq. Ft.
Sidewalk (6" thick)	\$ 4.20/ Sq. Ft.
Concrete Curb	\$ 10.50/ Lin. Ft.
Urban Street Reconstruction	\$ 37.00/ Lin. Ft.
Rural Street Reconstruction	\$ 28.00/ Lin. Ft.
Mill & Overlay	\$12.00/Lin. Ft.

#### Commercial

	<u>2011 Rate</u>
Sidewalk (4" thick)	\$ 3.60/ Sq. Ft.
Sidewalk (6" thick)	\$ 4.20/ Sq. Ft.
Concrete Curb	\$ 10.50/ Lin. Ft.
Urban Street Reconstruction	\$ 53.00/ Lin. Ft.
Rural Street Reconstruction	\$ 42.00/ Lin. Ft.
Mill & Overlay	\$20.00/Lin. Ft.

#### Industrial

	<u>2011 Rate</u>
Sidewalk (4" thick)	\$ 3.60/ Sq. Ft.

Sidewalk (6" thick)	\$ 4.20/ Sq. Ft.
Concrete Curb	\$ 10.50/ Lin. Ft.
Urban Street Reconstruction	\$ 53.00/ Lin. Ft.
Rural Street Reconstruction	\$ 42.00/ Lin. Ft.
Mill & Overlay	\$20.00/Lin. Ft.

Move by Council Member Austin, seconded by Council Member McAlister, adopting a resolution approving 2011 assessment rates. 7-0. Carried.

The Port Authority was established in the 1980s but the terms for the positions were not staggered and according to state statutes, they should be. City Administrator Jim Hurm proposes staggering the terms with the current members' terms expiring as follows:

- |                     |                        |
|---------------------|------------------------|
| 1. Georgette Hinkle | Term expiring 12/31/11 |
| 2. Jerry Mohrfeld   | Term expiring 12/31/12 |
| 3. Michael Bednar   | Term expiring 12/31/13 |
| 4. Jerry McCarthy   | Term expiring 12/31/14 |
| 5. Larry Maus       | Term expiring 12/31/15 |
| 6. Jeff Austin      | Term expiring 12/31/16 |
| 7. Brian McAlister  | Term expiring 12/31/16 |

The sixth and seventh members are council members; those positions can be changed as new council members are elected.

Council Member McAlister asked if the Port Authority members had been notified of this change. City Administrator Jim Hurm said they were told this would be on the council meeting agenda.

Moved by Council Member Austin, seconded by Council Member King, adopting a resolution to stagger the terms for the Austin Port Authority. 7-0. Carried.

Mayor Stiehm has selected the appointments for the council members and asked Council to confirm those appointments. All but two of the positions will be filled, and those can be discussed at the work session.

Moved by Council Member Austin, seconded by Council Member King, approving the following appointments.

**Austin/Mower County Homeownership Board**

1. Jeff Austin
2. Marian Clennon

**Austin/Mower County Transit (AMCAT) Board**

1. Judy Enright
2. Steve King

**Blazing Star Joint Powers Trail**

1. Jeff Austin
2. Janet Anderson
3. \_\_\_\_\_

**Cable TV Committee**

1. \_\_\_\_\_

**Chamber Of Commerce Board**

1. Steve King

**City/County Health Board (County Appointment)**

1. Jeff Austin

**Community Education Advisory Council**

1. Roger Boughton

**Convention & Visitors Bureau**

1. Janet Anderson

**Development Corporation of Austin**

1. Brian Mcalister

**Family Connections**

1. Steve King

**Fire Committee**

1. Judy Enright
2. Jeff Austin
3. Steve King

**Housing and Redevelopment Authority Board**

1. Roger Boughton

**LEC Committee**

1. Tom Stiehm
2. Brian Mcalister
3. Jim Hurm
4. Brian Krueger

5. Mickey Healey

**Library Board**

1. Brian Mcalister

**Main Street Project Board of Directors**

1. Brian Mcalister

**Mower County Water Management Committee**

1. Marian Clennon

**Park and Recreation Board**

1. Jeff Austin

**Port Authority of Austin**

1. Brian Mcalister
2. Jeff Austin

**Senior Center Board of Directors**

1. Brian Mcalister

Motion carried.

On January 18, the Committee-of-the-Whole recommended to Council authorizing LarsonAllen to perform the 2010 audit. Their quote includes a .056% rate increase (from \$40,930 to \$41,160).

Moved by Council Member Austin, seconded by Council Member Boughton, authorizing LarsonAllen to perform the 2010 audit. Carried.

The Farmers Market people have requested a change for their downtown location to the block east of the Courthouse (along 1<sup>st</sup> Street NE between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue) during the hours of 3:30 to 6:00 on Thursdays. The Farmers Market will run May 19 through October 27.

Council Member Clennon questioned Fire Chief Healey if he had a problem with the closed streets. Chief Healey replied he did not.

Moved by Council Member Clennon, seconded by Council Member-at-Large Anderson, approving the change of location of the Farmers Market and approving weekly street closing. Carried.

Stop signs have been requested and approved by staff for the following locations: 2<sup>nd</sup> Avenue & 2<sup>nd</sup> Street NE and 5<sup>th</sup> Avenue & 6<sup>th</sup> Street NW. A third location, 2<sup>nd</sup>/3<sup>rd</sup> Avenue & 18<sup>th</sup> has had only one accident in the last six years, not warranting a stop sign.

Moved by Council Member Austin, seconded by Council Member McAlister, approving a stop sign at 2<sup>nd</sup> Avenue & 2<sup>nd</sup> Street NE. Carried.

Moved by Council Member Austin, seconded by Council Member Boughton, approving a stop sign at 5<sup>th</sup> Avenue & 6<sup>th</sup> Street NW. Carried.

Moved by Council Member Austin, seconded by Council Member Enright, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 602 11<sup>th</sup> Street NE, Vlacity property. Carried.

Moved by Council Member Austin, seconded by Council Member Boughton, granting the Planning and Zoning Department the power to contract for the removal of junk and/or illegally stored vehicles at 1300 1<sup>st</sup> Place SE, Leverington property. Carried.

Moved by Council Member Austin, seconded by Council Member Enright, setting a public hearing for March 7 on proposed assessment.

## REPORTS

Council Member McAlister said he was going to report on the election of officers from the annual Port Authority, but that was put off until the next meeting (April 27).

Council Member Austin attended a recent Community Health Advisory meeting. They are in the process of reviewing a survey of baby boomers. He congratulated Jon Erichson on his award.

Council Member Clennon commended the Austin Planned AED team who won the Hearts Hero award. The award came as a result of the response to someone who had a heart attack at the plant. She said they did everything the way they were supposed to. Council Member Clennon recently attended a LMC Experienced Elected Officials Conference. One of the sessions dealt with communicating with council members, staff, the press. She also attended a County Water Management meeting. She said the biggest pollutant in the Cedar River is silt.

Council Member Enright attended her first meeting for AMCAT. The building project has been completed. They are looking for possible renters for the other side. She noted that they rely on grants for their busses.

Council Member Boughton recently attended the LMC's Newly Elected Officials Conference. Four areas of the conference included what city councils can and cannot do, finance issues, legal realities or landmines, and government as a team (working with other council members and staff).

Council Member-at-Large Anderson said that at the last CVB meeting, there was discussion on the positive effects of Austin Bruins hockey. They plan to report to Council. They are not just eating and sleeping here. On Saturday, the teams are looking for something to do – bowling, movies, etc. There are other businesses benefitting.

Library Director Ann Hokanson announced a free concert on Friday. The event features Lauren Pelon, a Red Wing singer/songwriter.

Chief Healey noted that at noon today, he was invited to meet with the Lieutenant Governor at the Capitol tomorrow to discuss LGA impacts. He will be representing Austin and this region on how to save those funds.

City Administrator Jim Hurm said that since there was barely a quorum at the January Port Authority meeting so the annual meeting will be held in April. There was discussion on staggering the appointments.

Mayor Stiehm attended the Austin Bruins ‘Paint the Rink Pink’ game last Saturday to support breast cancer research. The game was sold out.

Moved by Council Member Austin, seconded by Council Member King, adjourning the meeting to February 22, 2011.

Adjourned: 6:02 pm

Approved: February 22, 2011

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

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