

M I N U T E S  
CITY COUNCIL MEETING  
March 19, 2012  
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: Tom Dankert, Jeanne Howatt, Jon Erichson, Craig Byram, Mickey Healey, Ann Hokanson, Kim Underwood, and Brian Krueger.

OTHERS PRESENT: Post Bulletin, Austin Daily Herald. Marv Repinski. Matt Simonson. Cheryl Corey, Eileen Chao and Heidi Murray. Public.

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

Added to the agenda: A motion to set a public hearing for Tuesday, April 24 for the annual Stormwater Public Informational meeting. Moved by Council Member King, seconded by Council Member-at-Large Anderson, approving the agenda as amended. Carried.

Moved by Council Member Boughton, seconded by Council Member King, adopting the minutes of March 5, 2012. Carried.

CVB Director Cheryl Corey, along with Eileen Chao and Heidi Murray gave their annual report. Ms. Corey recognized current CVB board member Steve King and former board member Janet Anderson. The year 2011 ended with an increase in lodging tax of 2.2%. The CVB had 152 motor coach visits and welcomed 4,012 visitors from the motor coaches and other groups. Gross sales in Mower County for the leisure and hospitality industry was \$51,712,570. Sales tax for Mower County for the industry came to \$3,156,743. And private sector employment was at 1,337. The CVB has developed a new website with a calendar tab of events. The CVB has also developed a new tour planner. Ms. Corey stated that the CVB board has decided to make future annual reports shorter. She noted that 2011 was probably their busiest year to date, noting the addition of the M.S. tram and the Model T event. The CVB has made some great partnerships with some hotels and with the Austin Bruins. Ms. Corey stated that the CVB will continue this year with Operation Vintage Pride and Paint the Town Pink. Council Member Steve King thanked the CVB for their efforts and noted that the CVB has an economic impact of \$6.2 million to our area. Council Member-at-Large Anderson also thanked the CVB.

Marv Repinski, 1005 4<sup>th</sup> Street, spoke to Council. Mr. Repinski talked about St. Patrick's Day at Sacred Heart. In response to Council Member McAlister, Mr. Repinski referred to Mr. McAlister comment (and objection) to Mr. Repinski's suggestion that the city council tend to its own business and not that of the HRA. Mr. Repinski said he wanted to clarify and say that the

HRA is really a “step child” of the city council, the board being appointed by the Mayor. Mr. Repinski said that when the housing improvement program was being developed, he presented several pictures of potential homes that could be improved. He apologized that one of those pictures was actually of a property outside the city boundaries. Also, he has spoken to a staff member with the HRA from Minneapolis, who told him they are supposed to be giving yearly evaluations to the director. He said in eight years, evaluations have not been done. He apologized for not doing so and said the board will be doing that now. He also referred to an evaluation of the HRA staff who asked for the replacement of Mr. Boughton and himself. He said the Mayor would have to make the determination.

Matt Simonson reminded Council of some pictures of Vermilion, South Dakota he previously has shared with Council. He said Vermilion is satisfied with their 90-year-old streets despite having more income than Austin. He noted that Owatonna has no curb & gutter on many streets in the new residential areas.

Moved by Council Member King, seconded by Council Member Boughton, approving the consent agenda:

Licenses:

Excavation: Hickory Tech, Mankato, MN

Exempt Gambling (raffle): United Catholic Schools @ Corcoran Center, 2001 1<sup>st</sup> Avenue NW, Austin

Exempt Gambling (raffle): United Catholic Schools @ Corcoran Center, 2001 1<sup>st</sup> Avenue NW, Austin

Outside Liquor Sales: Bobee Jo's, 435 10<sup>th</sup> Street NE, Austin, June 23

Outside Liquor Sales: Bobee Jo's, 435 10<sup>th</sup> Street NE, Austin, Sept 1

Temporary On-Sale Liquor: Pacelli Catholic Schools, Corcoran Center, 2001 2<sup>nd</sup> Avenue NW, April 28, 2012

Tree Removal: Ted Janning Tree Service, Blooming Prairie, MN

Claims:

- a. Credit Report, Quarterly Financial and Investment Reports.
- b. Pre list of Bills.

Carried.

Public hearings were held on the 2012 street projects. There were no written objections received prior to the meeting. City Engineer Jon Erichson explained the process, noting that tonight's hearings are for the assessments.

A public hearing was held on street improvement assessment for 9<sup>th</sup> Street NW (1<sup>st</sup> Avenue to 8<sup>th</sup> Avenue), Project 3-A-11. The amount to be assessed is \$114,214.02 at 4.5% for 15 years.

There were no objections. No comments were made.

Moved by Council Member Boughton, seconded by Council Member Austin, adopting a resolution declaring the cost of Project 3-A-11. 7-0. Carried.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution adopting the assessment roll for Project 3-A-11. 7-0. Carried.

A public hearing was held on street improvement assessment for 2<sup>nd</sup> and 3<sup>rd</sup> Avenues SW (15<sup>th</sup> Street to 17<sup>th</sup> Street) Project 1-A-12. The amount to be assessed is \$165,479.09 at 4.5% for 15 years.

There were no objections. No comments were made.

Moved by Council Member Boughton, seconded by Council Member King, adopting a resolution declaring the cost of Project 1-A-12. 7-0. Carried.

Moved by Council Member King, seconded by Council Member-at-Large Anderson, adopting a resolution adopting the assessment roll for Project 1-A-12. 7-0. Carried.

A public hearing was held on street improvement assessment for 10<sup>th</sup> Place NE (11<sup>th</sup> Drive to 17<sup>th</sup> Street) Project 2-A-12. The amount to be assessed is \$32,739.60 at 4.5% for 15 years.

There were no objections. No comments were made.

Moved by Council Member King, seconded by Council Member Boughton, adopting a resolution declaring the cost of Project 2-A-12. 7-0. Carried.

Moved by Council Member King, seconded by Council Member Boughton, adopting a resolution adopting the assessment roll for Project 2-A-12. 7-0. Carried.

A public hearing was held on street improvement assessment for 22<sup>nd</sup> Avenue SW (12<sup>th</sup> Street to 16<sup>th</sup> Street), Project 5-A-12. The amount to be assessed is \$103,427.85 at 4.5% for 15 years.

Jeff Irvin, 1305 22<sup>nd</sup> Avenue SW, asked if the project would be just street reconstruction and not sidewalks as originally planned. It was noted that at the public hearing on the project in which some residents spoke against completion of the sidewalk in this area, the Council voted to approve the street project without the sidewalk.

There were no objections. No other comments were made.

Moved by Council Member Boughton, seconded by Council Member King, adopting a resolution declaring the cost of Project 5-A-12. 7-0. Carried.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution adopting the assessment roll for Project 5-A-12. 7-0. Carried.

A public hearing was held on street improvement assessment for East Side Lake Dam area: 13<sup>th</sup> Street NE (Oakland Avenue to 4<sup>th</sup> Avenue), Oakland Avenue East (12<sup>th</sup> Street to 13<sup>th</sup> Street), 1<sup>st</sup> Avenue NE (11<sup>th</sup> Street to 12<sup>th</sup> Street) and 3<sup>rd</sup> Avenue NE (11<sup>th</sup> Street to 13<sup>th</sup> Street), Project 6-A-12. The amount to be assessed is \$119,729.56 at 4.5% for 15 years.

There were no objections. No comments were made.

Moved by Council Member King, seconded by Council Member Enright, adopting a resolution declaring the cost of Project 6-A-12. 7-0. Carried.

Moved by Council Member King, seconded by Council Member-at-Large Anderson, adopting a resolution adopting the assessment roll for Project 6-A-12. 7-0. Carried.

A public hearing was held on street improvement assessment for 19<sup>th</sup> Street SE (Oakland Avenue to 4<sup>th</sup> Avenue), Project 7-A-12. The amount to be assessed is \$60,807.47 at 4.5% for 15 years.

There were no objections. No comments were made.

Moved by Council Member Enright, seconded by Council Member King, adopting a resolution declaring the cost of Project 7-A-12. 7-0. Carried.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution adopting the assessment roll for Project 7-A-12. 7-0. Carried.

Moved by Council Member-at-Large Anderson, seconded by Council Member King, waiving the annual audit of the Blazing Star Trail Joint Powers Board. Carried.

Moved by Council Member Austin, seconded by Council Member King, approving the use of \$10,000 from Contingency Fund for repair of the boiler at Riverside Arena. Carried.

Council was asked to approve an increase in the fines for auto forfeitures to these amounts: \$150 for administrative fee and \$20 per day for storage. Current fees are \$100 for administrative fee and \$10 per day for storage.

Moved by Council Member King, seconded by Council Member Austin, adopting a resolution increasing fines for auto forfeitures. 7-0. Carried.

Moved by Council Member Austin, seconded by Council Member King, disbanding the Fire Committee. Carried.

Moved by Council Member Boughton, seconded by Council Member King, adopting a policy for comments on the City's Facebook page. Carried.

Moved by Council Member-at-Large Anderson, seconded by Council Member Clennon, adopting a resolution accepting January and February donations to the Austin Public Library. 7-0. Carried.

Bobee Jo's Bar owners Dick and Mark Lang have requested street closings for two street dances – one on June 23<sup>rd</sup> and the other on September 1. City Engineer Jon Erichson and Police Chief Brian Krueger have approved of the request.

Council Member Clennon stated this does not need to be approved by council; approvals are required only by the police chief and city engineer. Mayor Stiehm told Council if they wish to change this, to let him know and it could be discussed at a work session. This process allows the media to know, too.

Moved by Council Member Boughton, seconded by Council Member King, approving the street closings on June 23 and September 1, requested by Bobee Jo's Bar. Carried.

Moved by Council Member King, 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 305 2<sup>nd</sup> Street SE, Thomson property. Carried.

Moved by Council Member Enright, 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 910 4<sup>th</sup> Avenue SW, Skalicky property. Carried.

Moved by Council Member King, 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 310 Main Street, Hauer property. Carried.

The City has received requests in connection with the new middle school by Ellis. One was an amendment to an existing conditional use permit. This was unanimously approved by the Planning Commission and, unless a written objection is received, does not need to come to council. Included in the discussion for the CUP was a traffic study, screening on the east property line for a barrier to residents, and a discussion on storm water management – the volume of water that leaves the area and a storm water retention pond. The City has also received a request to vacate a portion of 4<sup>th</sup> Avenue SE directly south of Ellis. The plan for the new school includes a trail from the new school to the new athletic fields. In addition to the CUP and street vacation, the Austin Public School District is requesting a height variance from the maximum allowed 30 feet. Mr. Erichson stated that the new school will have varying heights of 32 to 40 feet. A similar variance was approved two years ago for the Ellis gym which is 35 feet high. This variance request was unanimously recommended for approval by the Planning Commission.

Moved by Council Member McAlister, seconded by Council Member King, approving the variance requested by the Austin Public School District. Carried.

Moved by Council Member Austin, seconded by Council Member King, setting a public hearing for Tuesday, April 24 for the annual Storm Water Public Information meeting. Carried.

## REPORTS

Council Member Clennon congratulated the Austin Boys Basketball team for winning their play-off game on Friday night enabling them to play in state competition. Ms. Clennon announced the next Coffee with the Council will be Saturday, April 14 at 9:00 am at the Coffee House on Main. Council Member Clennon attended the board meeting for Women in City Government. She will be attending the Wednesday night joint conference in St. Paul. Council Member Clennon stated she received a request last year from someone for the timeline of the Lansing area sanitary sewer objections. Public Works Director Jon Erichson stated this is a long, drawn out, very complicated process. The City hired an appraiser in late 2011 who did a preliminary analysis which the city attorney has reviewed. This should be ready for review by council sometime in April. Mr. Erichson noted that two property owners have recently removed their

objections. Mr. Erichson added that the city attorney has asked for additional information from the appraiser; we are now waiting for that additional information.

Council Member Boughton attended the recent HRA Board meeting. There will be a presentation at the work session in April on the current status of the HRA.

Council Member-at-Large Anderson said the follow-up Community Conversations meeting will be held next month with LMC representatives in attendance. A tentative date has been set; she will inform everyone once the date is confirmed.

Council Member Austin attended the recent Park & Rec Board meeting. The dog park group has raised over \$8,000 so far. They have met with staff on the requirements for the fence.

Council Member McAlister confirmed with Mr. Erichson that the delays to the Lansing area sanitary sewer assessment objections would not increase the costs of the assessments. The assessments were set at \$15,590.17 per parcel.

Library Director Ann Hokanson announced the upcoming Library Book Sale at the end of April. They are looking for gently used books, especially children's books. This sale raises thousands of dollars for the library. The library cannot take encyclopedias, abridged Readers Digest, magazines, nor heavily soiled or mildewed items.

Mayor Stiehm said people are asking him to dye his hair red for the Packers basketball team. He stated he would if he can get to the game. He noted that the first Coffee with the Council went very well, though all of council didn't attend nor would they all attend future coffees as a full council.

Mayor Stiehm announced the MPCA presentation for the work session would take place in Council Chambers.

Moved by Council Member Austin, seconded by Council Member King, adjourning the meeting to April 2, 2012. Carried.

Adjourned: 6:21 pm

Approved: April 2, 2012

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

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