

MINUTES
COMMITTEE-OF-THE-WHOLE WORK SESSION
January 3, 2012
City Hall Conference Room

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

ABSENT: None.

STAFF PRESENT: Assistant City Engineer Steven Lang, Police Chief Brian Krueger, Parks and Recreation Director Kim Underwood, Community Development Director Craig Hoium, Administrative Services Director Tom Dankert, and City Administrator Jim Hurm.

ALSO PRESENT: Mark Nibaur (Austin Utilities General Manager), Craig Oscarson, Tim Gabrielson, and Jerry Reinartz from Mower County (6:25 p.m.), Austin Post Bulletin and Austin Daily Herald.

Mayor Stiehm opened the meeting at 6:00 p.m.

Other Item – Chief Krueger noted some of his officers would like to go to the funeral on Saturday for Officer Shawn Schneider from the Lake City Police Department. Mr. Schneider died after he was shot this past week, and some of our officers would like to go over on their own time in full uniform to pay tribute with many other police departments. Chief Krueger noted he wanted to ensure council was okay with the use of a city squad car to attend this funeral.

No objections noted.

Item No. 1. 2012 special assessment rates – Mr. Lang discussed the proposed special assessment rates for Council, noting the feasibility reports should be on the next council agenda. Mr. Lang stated our goal is to always assess 50% of the project cost to the affected homeowners for the street work only (not including underground work). Mr. Lang outlined a proposed 3% increase in the street assessment rate for residential and commercial assessments. On the sidewalk rate, Mr. Lang noted a proposed increase from \$4.20 to \$4.60 is being requested as our experience with contractors is that they are charging us a full \$1 per linear foot for the 6 inch deep sidewalk that runs through the driveway area. Mr. Lang stated we will not get to the 50% assessment goal with these increases, but it is a slow progression to get back up to the 50% assessment goal.

Council Member McAlister stated a citizen called him concerning the rates. Council Member McAlister questioned what the consequences were of not doing work on the streets and putting it off for a few more years. Mr. Lang stated if a street project were not done, then additional patching and maintenance would be required on the street, further straining our maintenance budget, and eventually increasing the costs to the City.

Council Member Enright questioned why there were different percentages of assessment coverage on the different projects. Mr. Lang stated one of the big issues depends on whether or not there is an intersection being redone on a project, as this middle portion has nobody to assess as there are no adjacent property owners. Additionally, with the corner lots only being assessed the average of the two sides we may not capture the entire frontage to assess on a project.

Council Member Clennon stated the street by Packer Arena going east (7th or 6th Place) had some street work done, and she asked who would have been assessed for this. Mr. Lang stated nobody as some maintenance projects are not assessed, depending on when the last project was done on the streets and how it was assessed (or not assessed).

Council Member-at-Large Anderson questioned what the increased average lot cost would be under the newly proposed assessment rates. Mr. Lang noted we are working with a lot of smaller lots in the projects this year, so the average 50 foot lot may see an additional \$75 or so spread out over the 15 year assessment period (plus interest). Mr. Lang noted with interest it may amount to an additional \$10 per year on average.

Motion by Council Member King, seconded by Council Member Austin to recommend to Council the approval of the increased street assessment rates. Carried 7-0. Item will be added to the next council agenda.

Item No. 2. Setbacks for business & residential properties – Mr. Hoium gave a verbal report on the setback question that arose at a prior council work session. Mr. Hoium went through the different setback requirements comparing a residential district to a commercial district. Mr. Hoium noted the purpose of the development standards include:

- Uniformity
- Open space
- Public safety and health/welfare
- Emergency situations
- Building codes

Council Member-at-Large Anderson stated it is a clear issue for big box developments like Target, but not as clear for the Broslmas/gazebo issue, which is in a commercial district.

Council Member Boughton questioned if this setback requirement includes hedges and fences. Mr. Hoium stated hedges and fences can be right up to the property line, and the setback is also from the property line, not a fence or hedge that has been installed or planted. Mr. Hoium also stated that if you plant a tree on your property and it grows into the neighbor's yard, the law is set up to allow the neighbor to cut the tree on a plane straight up.

Council Member Enright questioned if there were a certain number of parking stalls required with a commercial entity. Mr. Hoium stated there were, but it depends if you are retail or not, and driveways, parking lots, and parking on the street are all considered in this calculation.

This is for informational purposes only.

Item No. 3. Request permission to replace parks supervisor – Ms. Underwood requested permission to replace retiring Parks Supervisor Tom Graff. Mr. Graff has turned in his retirement papers effective mid-March after working for the City for 40 years. Ms. Underwood noted this is an important position that she would like to have replaced.

Council Member McAlister questioned if this would be a new position or an internal promotion. Ms. Underwood stated it is open to everybody, both internal and external. Council Member Enright clarified that the position is not required to be filled by an internal candidate.

After further discussion, motion by Council Member Austin, seconded by Council Member King to recommend to council the replacing of the Parks Supervisor position. Carried 6-1 (Council Member McAlister – Nay). Item will be added to the next council agenda.

Item No. 4. – Ordinance amendment on animals in parks (trails) – Ms. Underwood has been working with City Attorney David Hoversten to re-draft the ordinance regarding dogs in parks. Ms. Underwood stated the Parks Board has reviewed the draft ordinance and concurs with the proposed changes. The changes to the existing ordinance would add verbiage to allow pets to be on all public trails and park roadways while using the public trails or park roadways.

Council Member-at-Large Anderson stated the animals still have to be leashed.

Council Member Austin stated the Parks and Recreation Board is in favor of the new wording.

After further discussion, motion by Council Member Enright, seconded by Council Member McAlister to recommend to council the amendment to the ordinance to allow for leashed animals to be on the public trails and park roadways. Carried 7-0. Item will be added to the next council agenda.

Item No. 5. – Water sales agreement between Austin Utilities and Hormel Foods – Mark Nibaur from the Austin Utilities updated council on a proposal they are working on with Hormel Foods Corporation to supply 100% of the water they use. Currently, only 10% of Hormel's water usage comes from the Austin Utilities, with the remaining 90% coming from their own wells. However, the wells are not working as well anymore so Hormel is planning on signing an agreement for Austin Utilities to provide them with all of the water into the future. Mr. Nibaur stated 1977 was the last time that AU dug a well, and there are some required capital and infrastructure changes that they will have to make in order to make this work.

Council Member Enright questioned where this well would be located. Mr. Nibaur stated it would be at what we call Energy Park, or the former Cretex Concrete plant. Mr. Nibaur also stated all of the water is actually treated at each well site (there are currently seven wells that serve the Austin Utilities), eliminating the need for a separate treatment building.

This is for informational purposes only, and will be on a future council meeting agenda for the City to approve the agreement with Hormel.

Item No. 6. – Administrative Report – Mower County CIP - Mr. Hurm discussed a letter that was received from Mower County Coordinator Craig Oscarson requesting the city's help in creating a 5-Year Capital Improvement Plan (CIP).

Mr. Oscarson stated Mr. Dankert has put the City's CIP together for many years, and the County has reviewed our program and would like to create one of their own, using Mr. Dankert's expertise. Mr. Oscarson said the City's CIP is a nice product. Mower County would be willing to sign an agreement to reimburse the City for Mr. Dankert's time and the County would be very flexible as to when the project needs to be done. Mr. Oscarson stated the project needs to be done by 12/31/12, so that will give us all of 2012 to create the document while working with our department heads. This project would provide some revenue to the City of Austin, and would provide a much needed document for Mower County, further showing our ability to work together. Mr. Oscarson stated this project was originally supposed to be done by the Mower County assistant finance director, but that position has been put on hold for now, which is why the County is now requesting City help in drafting this document.

Council Member Enright questioned if this is an updated CIP we would help them draft, or a totally new product. Mr. Oscarson stated it would be a totally new project.

Council Member McAlister stated we will still need Mower County staff's time in creating the document, as they are the ones that have to put down on paper what they need replaced.

Council Member Boughton stated there are staff that may not always be willing to step up to do more, and we should look at some sort of additional compensation to Mr. Dankert for finding a new revenue source (with no cost to us). Mr. Hurm stated there already exists an exceptional pay performance clause in Mr. Dankert and Mr. Hurm's contract that could be utilized for this.

Council Member King stated there is no downside to this.

Motion by Council Member King, seconded by Council Member Austin to recommend to Council the approval of an agreement between the City of Austin and Mower County to help Mower County draft a 5-Year Capital Improvement Plan. Carried 7-0. Item will be added to the next council agenda.

Council Member Boughton noted an incentive may be a way to get employees to come up with additional ideas to generate revenue. Council Member Enright noted her agreement.

Item No. 6. – Administrative Report – Council Retreat - Mr. Hurm noted the council retreat is scheduled for January 23rd and 24th.

Item No. 7. – Open Discussion – Council Member Austin questioned if other council members were going to the January 27-28 Shared Leadership conference put on by the League of Minnesota Cities. Council Member-at-Large Anderson and Council Member Clennon noted they planned on going. Mr. Hurm requested that council members let his office know so they can get you registered.

Council Member Enright questioned the status of the G&R Truck Wash. Mr. Dankert stated a hearing was scheduled for February for them to attend a City Council meeting to address the issues in front of them. Mr. Dankert noted the owner is out of the country until mid-January, which is why the hearing was scheduled for February.

Council Member McAlister questioned what Council had in mind regarding the vehicle use policy that was tabled tonight for the Fire Chief. Council Member Clennon stated we need a blanket policy for all staff that take city vehicles home. Mr. Hurm noted we will schedule discussion at the next council work session. Council Member-at-Large Anderson stated we have responsible supervisors that take the vehicles home and we should be less concerned and restrictive about this issue. Council Member King noted his agreement. Council Member Clennon stated we should keep the policy as general as possible.

Item No. 8. Matters In Hand –Council Member-at-Large Anderson stated she spoke with Dustin from the Mower County Historical Society and Laura Helle from the Hormel Historic Home and they both would be excellent candidates to help determine whose plaque should go up on the flood wall.

Council Member Boughton questioned the status of the dog pound and working with the Humane Society. Mr. Hurm stated a meeting is scheduled in January to meet with Jay Lutz of the Humane Society, so possible something could be brought forward in February.

Motion by Council Member King, seconded by Council Member Austin to adjourn the meeting at 6:52 p.m. Motion passed unanimously.

Respectfully submitted,

Tom Dankert