

**MINUTES**  
**COMMITTEE-OF-THE-WHOLE WORK SESSION**  
**July 16, 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:** Police Chief Brian Krueger, Public Works Director Jon Erichson, Director of Administrative Services Tom Dankert, and City Administrator Jim Hurm.

**ALSO PRESENT:** Malcolm McDonald, Public, Austin Post Bulletin, and Austin Daily Herald.

Mayor Stiehm opened the meeting at 8:00 p.m.

**Item No. 1. Partial release of utility easement**– Mr. Erichson noted he has a request from the Austin Utilities to release a portion of an easement. This easement dates back to 1965 when the Utilities used to receive easements for entire parcels of land. The Austin Utilities only needs the front 10 feet of the parcel, so the property owner would like the rest of the easement released. Mr. Erichson noted the Austin Utilities already approved the request, but the City must also approve of the release.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson to recommend to council the approval of the easement release on 4<sup>th</sup> Street SE as requested. Carried 7-0. Item will be added to the next council agenda.

**Item No. 2. Sinclair acquisition** - Mr. Erichson updated Council as to the status of the North Main Flood project and the acquisition of the Sinclair gas station. Mr. Erichson stated we are trying to limit the City's liability. We did receive a letter from the MPCA stating that the City is not responsible for any release that happened prior to our acquisition of this property. This is important as it requires us to manage any contaminated soil that we would uncover or disturb as part of the project. Current options being pursued:

1. Application process to have the City work towards eligibility for a 90% reimbursement.
2. Acquire site and not proceed with the work until Sinclair has mitigated.
3. Acquire the site and proceed with mitigation and pay all costs associated with the cleanup.

Mr. Erichson stated right now we are still trying to get qualified for the 90% state reimbursement.

Council Member McAlister asked at what point would the City start the project. Mr. Erichson stated we are getting close and will need to make a decision in the next few months. Unfortunately, currently we are working with a requirement that in order to qualify for the 90% reimbursement, it has to be a total site cleanup and not just the dirt we disturb.

After further discussion, Council noted their support for working on the 90% reimbursement with the state, and that decision will need to be made in the next few months on this.

**Item #3. Two-hour parking request** – Mr. Erichson has received a request from The Donut Connection regarding the two-hour parking on 5<sup>th</sup> Place NW. Mr. Hooker (of the Donut Connection) stated they were recently ticketed for the first time ever for parking there and would like this changed so that they could park there longer. Mr. Hooker requested that the signs stay as is, but not be enforced or remove the two-hour parking signs. Mr. Erichson stated it is not legal for us to not enforce parking restrictions, plus it is part of a comprehensive plan for the entire downtown area.

Mr. Erichson further noted that in addition to the multiple two-hour parking areas, there are a number of twelve hour parking lots near this site. Mr. Erichson stated there are not enough businesses in favor of removing the two hour parking along 5<sup>th</sup> Place NW either.

Mr. Erichson and Chief Krueger noted they can give out special parking passes also to allow people to park longer if needed. Chief Krueger spoke with the parking enforcement officer and noted that parking enforcement had only recently become aware that this area was two-hour parking. Chief Krueger stated that the next time we find an area like this, he has instructed parking enforcement to issue warnings first before giving out tickets.

Council Member Enright stated we need to stick with the current plan we have.

After further discussion motion by Council Member Enright, seconded by Council Member King to recommend to the denial of the parking appeal. Carried 7-0. Item will be added to the next council agenda.

**Other Item. Mosquito spraying**– Mr. Erichson stated we have not yet sprayed for mosquitoes this year as it has been so dry. We negotiated a three-application contract earlier this year, but Mr. Erichson stated he would hate to spray just to spray if there are really no mosquitoes out. Historically, we spray for mosquitos before the 4<sup>th</sup> of July, another application in mid-July, and a final application before the Fair.

Council directed Mr. Erichson to negotiate an agreement to get out of this contract, as the contractor has incurred some costs to date in buying the product.

No further action necessary as this is for informational purposes only.

**Item No. 4. – LMC Conference follow-up discussions** – Council Member Enright reviewed her notes from the League of Minnesota Cities (LMC) conference that she recently attended. Discussion ensued on the keynote speaker that focused on the quality of life for citizens.

Council Member Enright also reviewed several city websites including the City of Austin's, noting ours really needs to be revamped. Council Member Enright stated it cost Red Wing \$7,000-\$12,000 to have theirs done professionally, plus an annual maintenance fee. Rental Property ordinances were discussed with Council Member Enright stating that she will bring this up again in January of 2013 to adopt a code.

Other topics included "where you want to live in 2032" and a review of the City of Albert Lea and their use of "PIT Crews" for improvements to city operations.

Council Member Clennon stated the local high school or college could maybe revamp our website for free.

This is for informational purposes only at this point.

**Item No. 5. – Administrative Report – None.**

**Item No. 6a. Open Discussion – Community Band** – Council Member Boughton requested Council support for applying for a grant through the Austin Area Foundation (AAF) to help supplement the budget of the Community Band. Council Member Boughton stated he would like to apply for \$1,200 through the AAF, but the City of Austin would need to be the conduit as the Community Band is not a 501(c)3 corporation. Council Member Boughton stated the \$1,000 budget that we provide the community band is not enough for them to continue into the future.

After further discussion, motion by Council Member Boughton, seconded by Council Member-at-large Anderson to recommend to Council the grant request from the Community Band to the Austin Area Foundation. Carried 5-2 (Council Members Clennon and McAlister – Nay). Item will be added to the next council agenda.

**Item No. 6b. Open Discussion – Travel budget** – Council Member Austin noted the Council is over budget at this point in time for conferences, and that under our policy these now need to get Council approval. Mr. Dankert noted we had five council members that went to the Duluth conference, and all drove separately and had hotel rooms. In past years very few council members went to conferences. Mr. Dankert noted it is not a bad thing to be over budget here, as it shows that Council is interested in what is going on in other cities, it's just that we may need to increase the budget here for 2013.

**Item No. 6c. Open Discussion – Lighting by Bandshell** – Council Member Enright noted it is dark down by the Bandshell and that Mr. Erichson stated it would cost around \$15,000 to install another light. Council Member Enright noted her support for this.

**Item No. 6d. Open Discussion – House numbers** – Council members discussed the need for house numbers. Council Member-at-Large Anderson stated the fire code requires businesses to have numbers, but not residences. Debate arose around whether we should require houses to have a visible house number on it.

**Item No. 6e. Open Discussion – Food trucks** – Council Member King questioned when and where mobile food trucks could operate. Council Member King noted he has received some complaints from Courtyard Apartments as the generators these mobile food trucks are using are loud and they should not be allowed in residential areas after certain times at night. Council Member King requested that we check into the times and locations these trucks are allowed to operate, and whether or not we can regulate such.

**Item No. 7. Matters In Hand** – No discussion.

Motion by Council Member Enright, seconded by Council Member Austin to adjourn the meeting at 9:10 p.m. Motion passed unanimously.

Respectfully submitted,

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Tom Dankert