

MINUTES  
COMMITTEE-OF-THE-WHOLE SPECIAL WORK SESSION  
September 3, 2013  
Council Chambers

PRESENT: Mayor Thomas Stiehm, Council Members Roger Boughton, Jeremy Carolan, Michael Jordal, Judy Enright, Steve King, Jeff Austin and Council Member-at-Large Janet Anderson

ABSENT:

STAFF PRESENT: Director of Administrative Services Tom Dankert, City Administrator Jim Hurm and City Clerk Ann Dunlap

Mayor Stiehm opened the meeting at 5:00 p.m.

Item Number 1:

Tom Dankert presented on the new levy information for the 2014 levy. The Minnesota Department of Revenue has come out with their clarifications of the levy limits for 2014. With this new interpretation the City could levy additional funds up to \$117,931.00. This would increase the levy to \$4,277,931.00. This would allow the Council, if they choose, to fund additional items that were left out of or reduced in the 2014 budget.

Mr. Dankert feels that due to the two to three percent growth in the City of Austin, no matter what levy the City Council sets in 2014, residential taxes will go down because of the shift from the value in increasing farmland. Therefore, even if we levy the maximum allowable amount, a resident within the City of Austin total tax bill would still go down.

Council Member Austin expressed that the Council had worked very hard on creating a balanced budget and this is a good opportunity to hold the line. Moved by Council Member Austin to make no changes to the current proposed levy.

Council Member King supporting leaving the levy as currently budgeted with the exception of levying additional funds to hire the police officer in January 2014 instead of March 2014.

Council Member-at-Large Anderson also felt it was very important to hire a police officer along with funding the requests police badges and East Side Lake Dam repairs.

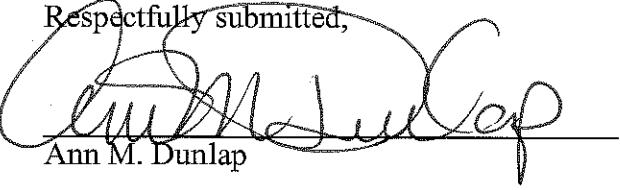
Council Member Jordal stated that it was a council decision in the past meetings to adhere to the current 2014 proposed levy.

Council Member Carolan added that once the tax levy is adopted, the Council could still look at the budget and change items if needed. This was confirmed by Mr. Dankert. The budget can be modified at any time as long as the tax levy is not changed after September 15, 2013.

After further discussion, motion by Council Member Austin, seconded by Council Member King, for recommending increasing the levy to \$4,120,000.00 to allow for hiring a police officer in January 2014. Carried. 7-0. The recommendation will be brought to the Council meeting on September 3, 2013 at 5:30 p.m.

Motion by Council Member Austin seconded by Council Member Boughton to adjourn the meeting at 5:16 p.m. Motion passed unanimously.

Respectfully submitted,



Ann M. Dunlap

**M I N U T E S**  
**COMMITTEE-OF-THE-WHOLE WORK SESSION**  
**September 3, 2013**  
**City Hall Conference Room**

**PRESENT:** Mayor Thomas Stiehm, Council Members Roger Boughton, Jeremy Carolan, Michael Jordal, Judy Enright, Steve King, Jeff Austin and Council Member-at-Large Janet Anderson

**ABSENT:**

**STAFF PRESENT:** Director of Administrative Services Tom Dankert, Director of Public Works Steven Lang, Community Development Director Craig Hoium, City Administrator Jim Hurm, Police Chief Brian Krueger and City Clerk Ann Dunlap

**ALSO PRESENT:** Austin Daily Herald, Public

Mayor Stiehm opened the meeting at 6:09 p.m.

**Item No. 1 Review Ordinance on Utility Liens –**

City Clerk Ann Dunlap has worked with David Hoversten and Steve Hovey to modify the current ordinance for assessing liens for commercial utility charges on behalf of Austin Utilities. The current ordinance provides an 11 day window for this process to be completed. In the proposed ordinance that time frame is increased to 32 days. The longer timeline is needed to provide more timely notices to the delinquent utility customer.

After discussion, motion by Council Member Austin, seconded by Council Member Boughton, for recommending to the modified ordinance to Council. Carried. 7-0. Item will be added to the next council agenda.

**Item No. 2 Ordinance Review – Swimming Pool and Garage Sale Signs**

Craig Hoium provided some history on the current swimming pool ordinance. In August of 2010 the current ordinance was passed which changed the fence requirement from 5 to 4 feet tall and increased depth of the pool to 2 feet in order to be fenced. At that time there was an issue with citizens putting in retaining ponds that fell under the ordinance so they would have to erect a fence around the pond. The change in the ordinance alleviated some of that issue but currently there are individuals that still are having issues.

Council Member-at-Large Anderson was concerned for safety of the public due to the unfenced pools.

Council Member King had received photos and correspondence from an individual that installed a landscaping pond that was 7-8 feet away from a large drainage ditch. The individual may be required to place a fence around the pond while the drainage ditch is clearly a more significant hazard.

Council Member Enright would like to review and amend the ordinance later this winter. She doesn't support removing the locking gate provision.

Mr. Hoium supported revisiting the ordinance this winter.

Moved by Council Member Boughton, seconded by Council Member Enright, to review the swimming pool ordinance in the winter of 2013-2014. Carried.

The garage sale sign ordinance was also discussed. Council Member Carolan stated in Rochester and Byron garage sale signs are allowed and do not seem to be an issue in those communities. He is concerned that banning the signs in Austin has created a new problem with vehicles parked on corners with poster board in the windows to promote the sales. He has heard complaints from citizens about those vehicles blocking the sight lines for other vehicles to safely proceed into intersections.

Council Member Enright stated that the ordinance was created to address the issue of citizen safety at certain four way stops in the community. These corners were extremely congested due to vehicles stopping to write down addresses and was a safety issue with people getting out of their cars to do so. She feels that the bottom of Skinner's hill is a great place for the signs as is located in a parking lot and she would like to leave the ordinance as is.

Council Member Carolan also stated that the police department and community service officers have better uses of their time than to pick up garage sale signs. He suggested that the City of Austin web page have a community site for sales.

Mayor Stiehm inquired what other cities had in place to regulate garage sales? He also stated that the current ordinance does a good job in promoting public safety.

Council Member King felt this current ordinance causes the least amount of conflict.

After further discussion, motion by Council Member Enright, seconded by Council Member King, for recommending no modification of the current ordinance. Carried. 6-1 with Council Member Carolan voting nay. No further action needed.

### **Item No. 3 LEC Records Management System Contract Review**

Chief Krueger presented on the new records management system for the LEC. The Mower County board reviewed the same materials the Council reviewed and approved it on today's date.

The total anticipated cost for the project will be \$205,174.90 with \$31,082.00 coming from 2013 funds and \$174,092.90 from 2014 funds. Mower County's portion of the project is approximately \$262,000.00 due to additional costs for warrants and the jail. There will be a sizeable discount but both the City and the County need to sign the contract by the end of September 2013. There are over 200 agencies statewide that use the LETG system. It is a Minnesota-based company.

The new technology will greatly increase efficiency and public safety. The current system being used will not work on Windows 7 or 8 and certain users cannot access the system at all. In addition, there is a lag between the dispatch and the patrol cars. The new technology will increase communication between the two. The dispatch will also be able to track the police cars in real time instead of a 30 second to 1 minute gap.

There is an annual maintenance fee of \$22,000.00 of which the City would be responsible for half of. This fee includes all new software and updates for the system.

After further discussion, moved by Council Member Boughton, Seconded by Council Member Austin to approve the contract with LETG for the records management system for the law enforcement center. Carried. 7-0. The item will be placed on the agenda for the next council meeting.

#### **Item No. 4 Update on North Main Flood Control Project**

Steven Lang provided an update to the Council on the North Main Flood Control Project. The 5 million dollar grant was awarded to the City of September 22, 2010 with a requirement for construction to begin within 3 years of that date. All of the easements and properties were acquired by Spring of 2012, except the Sinclair property. Due to delays with negotiations with Sinclair, that property was not acquired until spring of 2013. Then on August 20, 2013 the City received approval from the EDA to move forward and begin advertising for the project.

The City did request an extension on the start date and was denied. Therefore, the timeframe to complete the bidding and award process is short and is as follows:

-September 17<sup>th</sup>

- Open bids for Phase 4-5-6-7
- Fax and e-mail the opening bid checklist to the EDA

-September 18<sup>th</sup>

- Special Council meeting at 8:00 a.m. to award project contingent upon EDA concurrence
- Received EDA concurrence
- Develop contract and bond
- E-mail contract and bond to contractor for execution

-September 19<sup>th</sup>

- Contractor works with bonding company to complete necessary requirements

- September 20<sup>th</sup>

- Contractor returns executed contract and bond to City by noon
  - City signs contract and bond
  - Fax and e-mail signed contract and bond for EDA concurrence
  - EDA e-mails City with acceptance of contract and bond and authorizes City to begin construction
  - City develops notice to proceed and submits to contractor

Steven Lang also provided a handout of the list of the City's Flood Mitigation Projects from 2007-2027. (See packet materials for full list) These projects are funded in part by the ½ cent sales tax by the City of Austin. Some of these projects are contingent on receiving matching grants from various organizations. Those grants are not currently secured and therefore it is important that the ½ cent sales tax revenue remain solely dedicated for flood control projects.

He also brought to attention and additional flood mitigation item not on the list. The berm at the industrial waste water treatment plant has been built on an as needed basis with flooding events through the years. That berm has a thick layer of trees on it and the tree roots create holes in the berm. As the value of the waste water treatment plant increases it would be beneficial to invest in heftier engineered berms.

After further discussion, scheduled special Council Meeting for September 18<sup>th</sup>, 2013 at 8:00 a.m.

No further action needed at this time.

#### **Item No. 5. Administrative Report**

City Administrator Jim Hurm thanked the Council Members for the department head reviews.

#### **Item No. 6 Open Discussion**

Council Member-at-Large Anderson stated that the Fire Commission received seven applications for the Fire Chief position and are currently reviewing the hiring questions.

Council Member Enright wanted to set a date for the September Conversations with Council. Upon review of calendars, it was determined that September is a very busy month.

Council Member King stated that he would like to try a 5:00 session prior to the regular Council meetings.

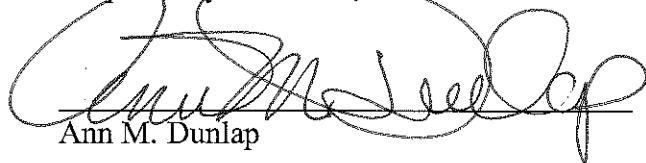
Beginning on September 16<sup>th</sup> 2013, the Conversations with Council will be held at 5:00 p.m. before every council meeting through December 2013.

Council Member Austin provided a photograph of a "Thank You City of Austin" sign placed on the new trail leading from Younkers to Target. Vision 2020 was responsible for the sign.

Council Member-at-Large Anderson is inquiring as to dates and costs for the League of Minnesota Cities and will have those specifics at the next meeting.

Motion by Council Member Austin, seconded by Council Member King, to adjourn the meeting at 6:56 p.m. Motion passed unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ann M. Dunlap". The signature is fluid and cursive, with a large, stylized "A" at the beginning.

Ann M. Dunlap