M I N U T E S
CITY COUNCIL MEETING
December 15, 2014
5:30 PM
Council Chambers

MEMBERS PRESENT:	Mayor Stiehm. Council Members Michael Jordal, Roger Boughton, Jeremy Carolan, Judy Enright, Jeff Austin and Council Member-at-Large Janet Anderson
MEMBERS ABSENT:	Council Member Steve King
STAFF PRESENT:	City Administrator Craig Clark, Director of Administrative Services Tom Dankert, Public Works Director Steven Lang, City Attorney David Hoversten, Police Chief Brian Krueger, Fire Chief Jim McCoy, Library Director Ann Hokanson, Park and Rec Director Kim Underwood and City Clerk Ann Kasel
OTHERS PRESENT:	Dennis Bissen, Jim Samuel, Tony Klapperick, Bob Hatleli, Jerry Wilkinson, Austin Daily Herald, Post-Bulletin, Public

Mayor Stiehm called the meeting to order at 5:30 pm.

Director of Administrative Services Tom Dankert swore in Craig Clark to the office of City Administrator for the City.

Moved by Council Member-at-Large Anderson, seconded by Council Member Enright, adopting a resolution appointing Craig Clark City Administrator. Carried 6-0.

Added to the agenda:

22. Approving an amendment to a contract for private redevelopment with Hormel Foods.

Moved by Council Member Boughton, seconded by Council Member Austin, approving the agenda as amended. Carried.

Moved by Council Member Enright, seconded by Council Member Jordal, approving the minutes of December 1, 2014 and the Truth in Taxation hearing on December 2, 2014. Carried.

AWARDS AND RECOGNITIONS

Mayor Stiehm recognized Council Member Roger Boughton's service on the Council by presenting him a key to the City.

Mayor Stiehm also recognized 14 City employees that retired in 2014, noting that they had a total of 363 combined years of service.

Director of Public Works Steven Lang recognized the employees from his department stating their years of service totaled 302 years of experience.

The employees were:

Dennis Bissen, May 14, 1984 to February 24, 2014, Engineering Department
Jim Samuel, October 15, 1973 to February 28, 2014, Waste Water Treatment Plant
Wayne Amazi, April 5, 1988 to April 12, 2014, Police Department
Tony Klapperick, January 23, 1984 to April 30, 2014, Public Works
Maurice (Morrie) Moriarty, November 15, 1982 to May 30, 2014, Riverside Arena
Brian Lovik, January 11, 1990 to May 30, 2014, Fire Department
Mary Ann Levine, July 28, 1992 to June 27, 2014, Waste Water Treatment Plant
Richard (Smokey) Carlson, January 16, 1995 to June 28, 2014, Waste Water Treatment
Chyeral Stohlmann, January 2, 2003 to July 31, 2014, Austin Public Library
Craig Hoium, February 12, 1996 to August 1, 2014, Building & Zoning
Jim Schlichter, January 3, 1994 to August 28, 2014 Waste Water Treatment Plant
Bob Hatleli, February 4, 1985 to September 30, 2014, Sewer Department
Steve Dammen, May 31, 1983 to October 17, 2014, Sewer Department
Jerry Wilkinson, November 5, 1984 to October 31, 2014, Engineering Department

CONSENT AGENDA

Moved by Council Member Enright, seconded by Council Member Boughton, approving the consent agenda as follows:

Licenses:
Exempt Gambling: Riverland Community College Foundation on February 13, 2015
Master Plumber: Kasper Plumbing, Inc., 1735 Wood Duck Ln NE, Owatonna
Master Plumber: Srp Heating A/C and Refrigeration, 112 10th Avenue SE, Waseca,
2015 License Renewals – See complete list attached.

Claims:

a. Investment Reports.
b. Pre-list of Bills.

Carried.

PUBLIC HEARINGS:

A public hearing was held for the proposed adoption of the 2015-2019 Capital Improvement Plan. Director of Administrative Services Tom Dankert presented the plan stating the Department Heads and the City Council go through an extensive process to create the capital improvement plan for the next five years detailing requests for improvements for approximately $127 million dollars, including $71 million in 2015. By Council passing the document, it gives staff authorization for purchase the listed items for 2015 and also serves as a guide for the upcoming years.

No comments or questions were taken from the public.

Moved by Council Member Enright, seconded by Council Member Austin, adopting a resolution adopting the 5 year Capital Improvement Plan. Carried 6-0.

PETITIONS AND REQUESTS:

The proposed sidewalk café ordinance was presented. City Attorney David Hoversten stated the ordinance would eliminate the 70% of food sales requirement to obtain a sidewalk café license. Instead, any establishment that met the "medium food establishment" as set forth by the Minnesota Department of Health would qualify for the license. In addition, food and liquor sales would be extended to midnight on the sidewalk café areas.

Moved by Council Member Boughton, seconded by Council Member Enright, for preparation of the ordinance. Carried 5-1 with Council Member Austin voting nay.

Moved by Council Member Jordal, seconded by Council Member Enright, for adoption and publication of the ordinance. Ordinance failed to pass for lack of a unanimous vote. 5-1 with Council Member Austin voting nay. The ordinance will have a second reading at the next Council meeting.

Planning and Zoning Administrator Holly Wallace presented the proposed rental housing ordinance. The ordinance does not have an inspection requirement, rather it would require every rental unit to register with the City every three years or upon the transfer of ownership beginning in 2015. It would also require the owner to reside or have a rental property manager within one hour drive of the property and the owner to complete an approved educational class. The ordinance needs to pass by a unanimous vote on the first reading. If it does not then the matter would be moved to the next meeting.

Council Member Enright stated the ordinance is very important to cleaning up junk properties in Austin. Close to sixty percent of junk housing complaints are rental properties. She was concerned that the landlords are not reinvesting in or maintaining their properties. She added that there are lots of good landlords in Austin who may assist with the educational component of the proposed ordinance. She also expressed her disappointment with the Council members who are opposed to the ordinance.

Council Member Jordal stated he opposes the ordinance due to the fact the educational component is not established yet and that there are already ordinances in the City code to deal with junk properties.

Council Member Austin agreed with Council Member Jordal.

Council Member Carolan stated he believes the ordinance is not in the best interest of the public and he would like to give staff more time to deal with junk properties now that the Zoning Department is fully staffed.

After additional discussion, moved by Council Member Enright, seconded by Council Member-at-Large Anderson, for preparation of the ordinance. Carried 4-3 with Council Members Austin, Jordal and Carolan voting nay and with Mayor Stiehm breaking the tie.

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, for adoption and publication of the ordinance. Ordinance failed to pass for lack of a unanimous vote. Vote was 4-3 with Council Members Austin, Jordal and Carolan voting nay and with Mayor Stiehm breaking the tie. The ordinance will have a second reading at the next Council meeting.

Mayor Stiehm stated he will be calling a special meeting prior to the end of 2014 for a second reading on the sidewalk café and rental housing ordinances.

Director of Administrative Services Tom Dankert requested the Council pass a resolution authorizing the change in ownership of Charter Communications. The matter has been reviewed by Brian Grogan, the City's cable TV attorney, and he has recommended approval. If no action is taken by the Council then it is automatically approved.

Moved by Council Member Austin, seconded by Council Member Carolan, adopting a resolution approving the transfer of ownership of Charter Communications. Carried 6-0.

Director of Administrative Services Tom Dankert requested the Council pass an extension to the Charter Communications Franchise agreement which expires on December 19, 2014. The City is in the process of negotiating a new agreement with Charter.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson, adopting a resolution approving an extension of Charter Communication's franchise agreement through June 30, 2015. Carried 6-0.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution setting the positions and wage rates for the 2015 seasonal and part-time positions. Carried 6-0.

Director of Administrative Services Tom Dankert requested the Council pass the 2015 tax levy in the amount of $4,325,000. The matter was discussed at the Truth in Taxation hearing on December 2, 2014.

Moved by Council Member Austin, seconded by Council Member Enright, adopting a resolution approving the tax levy for the year 2015. Carried 6-0.

Director of Administrative Services Tom Dankert requested the Council adopt a resolution for the 2015 budget. The total budget for the City is $30,771,463. The matter was discussed at the Truth in Taxation hearing on December 2, 2014 and was approved.

Moved by Council Member Austin, seconded by Council Member Boughton, adopting a resolution adopting the budget for the year 2015. Carried 6-0.

Director of Administrative Services Tom Dankert requested the Council adopt a resolution cancelling certain ad valorem taxes as the City has other funding sources for those items.

Moved by Council Member Austin, seconded by Council Member Carolan, adopting a resolution authorizing cancellation of certain ad valorem tax levies. Carried 6-0.

Moved by Council Member Austin, seconded by Council Member Boughton, adopting a resolution granting 2015 licenses for sale of hard liquor on-sale, Sunday hard liquor on-sale, Sunday wine on-sale, and 3.2 beer on and off-sale. Carried 5-0 with Council Member Enright abstaining.

Director of Administrative Services Tom Dankert requested the Council pass budget amendment number 7 which would authorize transferring funds from the General Fund and Building Fund to the Port Authority Oak Park Mall fund for the Oak Park Mall project. It would also transfer fund balance to cover the purchase of Police radios that were approved as a 2015 purchase but were accidentally sent and invoiced by the supplier in 2014.

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, adopting a resolution approving budget amendment number 7. Carried 6-0.

Moved by Council Member Austin, seconded by Council Member Carolan, adopting a resolution accepting donations to the City of Austin. Carried 6-0.

Director of Administrative Services Tom Dankert requested the Council pass a resolution accepting the 2015 Hormel Foundation grants in the total amount of $475,472. The Foundation gave 7.1 million dollars in 2015.

Moved by Council Member Austin, seconded by Council Member Boughton, adopting a resolution accepting Hormel Foundation grants for 2015. Carried 6-0.

City Clerk Ann Kasel requested the Council issue an adult business license to Paradise Island for six months rather than the one year typical license due to fire code issues.

Moved by Council Member Austin, seconded by Council Member Enright, approving an adult business license for Paradise Island through June 30, 2015. Carried.

Director of Administrative Services Tom Dankert requested the Council authorize the continuance of the voluntary furlough program for 2015.

Moved by Council Member-at-Large Anderson, seconded by Council Member Jordal, approving the continuation of the voluntary furlough policy for 2015. Carrired.

Moved by Council Member Enright, seconded by Council Member Boughton, granting the Planning and Zoning Department the power to remove junk and/or illegally stored vehicles at 1809 3rd Avenue NE, Janning Property. Carried.

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, granting the Planning and Zoning Department the power to remove junk and/or illegally stored vehicles at 908 4th Avenue NE, Wells Fargo Bank Property. Carried.

Moved by Council Member Enright, seconded by Council Member-at-Large Anderson, granting the Planning and Zoning Department the power to remove junk and/or illegally stored vehicles at 1304-1306 10th Street SW, New Age Property. Carried.

Director of Administrative Services Tom Dankert requested the Council approve an amendment for private redevelopment with Hormel Foods for the Spam Museum extending the closing date into 2015.

Moved by Council Member Austin, seconded by Council Member Jordal, adopting a resolution approving an amendment to a contract for private redevelopment with Hormel Foods. Carried 6-0.

REPORTS

Council Member Enright reported she and the Mayor attended the annual Beyond the Yellow Ribbon Christmas party at the newly remodeled National Guard Armory on December 6th.

Council Member Carolan welcomed Craig Clark and expressed his thanks to Council Member Boughton.

Council Member-at-Large Anderson thanked the City staff for an excellent year, thanked Roger Boughton for his service on the Council and welcomed Craig Clark. She also added that the Paint the Town Pink kickoff will be in January.

City Administrator Craig Clark stated it's an honor to serve as the city administrator and is looking forward to serving the City.

Director of Administrative Services Tom Dankert thanked the staff for their help in the 2015 budget process.

Moved by Council Member Enright, seconded by Council Member Jordal, adjourning the meeting to January 5, 2015. Carried.

Adjourned: 6:17 pm

Approved: January 5, 2015

Mayor: _____

City Recorder: _____