

MINUTES
COMMITTEE-OF-THE-WHOLE WORK SESSION
June 2, 2014
City Hall Conference Room

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

ABSENT:

STAFF PRESENT: Director of Administrative Services Tom Dankert, Community Development Director Craig Hoium, Police Chief Brian Krueger, Library Director Ann Hokanson, Director of Public Works Steven Lang, City Attorney David Hoversten, Human Resources Director Tricia Wiechmann (6:35 p.m) and City Clerk Ann Kasel

ALSO PRESENT: Patrick McGarvey, Brittany Perry, Sherry Schied, Kim Hillberg, Austin Daily Herald, Public

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

Item No. 1 – Downtown Comprehensive Plan Proposals

Community Development Director Craig Hoium, along with Steven Lang and Laura Helle, interviewed four firms that submitted proposals to update the Downtown Comprehensive Plan. The firms and their respective bids were:

Hammel, Green & Abrahamson, Inc.	\$25,000
BWBR/Damon Farber Assoc.	\$38,000
CR Planning/SEH Inc.	\$32,000
RSP Architects	\$51,000

Mr. Hoium recommended extending the contract to CR Planning/SEH Engineering because that firm had most experience doing master planning in communities of similar size to Austin and the had a person on team that was involved with master plan of Dubuque, Iowa.

Council Member Boughton asked if the City is required to take the lowest bid.

Mr. Hoium stated the City is not required to take the lowest bid for this type of work and the interview team felt CR Planning/SEH Inc. was the best candidate for the work.

After additional discussion, moved by Council Member Boughton, seconded by Council Member King, to recommend awarding the contract for updating the Downtown Master Plan to CR Planning/SEH, Inc., subject to the approval of the contract by the City attorney. Carried.

The item will be placed on the June 2, 2014 Council meeting.

Item No. 2 – ToughBooks for Squad Cars

Chief Krueger requested the Council purchase six new Panasonic Toughbooks for squad cars. The current Toughbooks are 9 ½ years old use Windows XP, which is no longer supported by Microsoft. They lack the hardware to run the new Records Management System through LETG.

Chief Krueger proposed the purchase of three new Toughbooks at \$2,753 each and three refurbished units at \$1,391 each for a total of \$12,432, plus shipping. There is a three year warranty on the refurbished models. The funds for the request would come from the Police Forfeiture Fund.

Council Member-at-Large Anderson asked if it would be better to purchase all new ones instead of refurbished ones.

Council Member Carolan asked if it would be more cost effective to purchase all refurbished units.

Chief Krueger stated the refurbished units are three years old and the intent would be to start replacing the units every few years.

Director of Administrative Services Tom Dankert added that it is better to start a cycle for replacements and work that into the budget instead of trying to replace all the units at the same time.

Moved by Council Member King, seconded by Council Member Enright, to recommend approval of the purchase of six Toughbooks for the Austin Police Department from the Police forfeiture account. Carried.

The item will be placed on the June 2, 2014 Council agenda.

Moved by Council Member Austin, seconded by Council King, to adjourn the work session meeting to attend the City Council meeting at 5:09 p.m. Carried.

Mayor Stiehm reopened the meeting at 6:13 p.m.

Item No. 3 – Urban Chicken Discussion

City Clerk Ann Kasel provided a memo to Council regarding keeping chickens in the City, which are currently not allowed within City limits. Austin City Code Section 10.11, subd. 2 states it is unlawful for any person to own, keep, possess, harbor or offer for sale any non-domestic or farm animals within the city limits. A farm animal is defined as those animals commonly associated with a farm or performing work in an agricultural setting including members of the equestrian family (horses, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (duck, geese), swine, goats, bees and other animals associated with a farm, ranch or stables. The League of Minnesota Cities has issued a short memo on urban chickens stating there are no State laws that address chickens in the city so it's up to the City Council to decide if it wants to allow the practice.

The City of Farmington passed an ordinance allowing chickens in March of 2013 after 2 years of debate on the issue. Their ordinance allows for up to three hens on a property with a ten foot setback from all property lines and a twenty-five foot setback from any principal structure on adjacent lots. Tony Wippler, the Assistant City Planner for Farmington, stated it was a controversial ordinance to get passed. The City currently has five chicken permits and has not had complaints.

Brittany Perry requested the Council to consider allowing chickens in the City limits. She provided a handbook regarding urban chickens for Council review. Ms. Perry stated that chickens are very affectionate animals, their feces is less toxic than dog or cat feces, they don't smell when properly cared for and their eggs are much fresher than store bought eggs. In addition, she stated the City's ordinances appear to be conflicting if chickens are allowed or not.

Community Development Director Craig Hoium stated chickens are a non-domestic animal and are prohibited.

Sherry Schied also submitted information for Council review including a memo, the Rochester ordinance, Burnsville application, and chicken breed guide. Ms. Schied also noted that the City of Albert Lea allows 25 to 50 chickens in the city limits, depending on the lot size.

Ms. Perry stated she has not received a lot of negative comments on the topic. She has spoken at various locations including the dog park, Double K and Runnings. She also has contacted the media and multiple articles have been written on the topic.

Council Member Austin asked Mr. Hoium if this would be appropriate to send to the Planning Commission for review.

Mr. Hoium stated it would, depending on who would be enforcing the ordinance, the zoning department or the animal control officer. He added that the zoning department has received multiple complaints of citizens with chickens and chickens being slaughtered in the City.

Ms. Perry replied chicken owners could possibly partner with Knauer's meat market when the chickens are done producing eggs for slaughter.

Sherry Andow, a Mower County resident, stated she has raised chickens for over 20 years and she would much rather have chickens than a potbellied pig, which is currently allowed under City ordinance. She added chickens can be good companions and beneficial because they eat bugs and clean up weeds.

Ms. Schied noted a chicken eating grass will give you very healthy eggs. Eggs purchased in a store are two to three weeks old and most of the nutrition is already gone. A hen will produce approximately 3 eggs per day. She also stated that chickens are not very noisy.

Council Member-at-Large Anderson stated any ordinance would have set backs from property lines.

Ms. Schied said most set backs require the coop 10 feet from property lines and 50 feet from any adjacent structure.

Mr. Hoiium stated staff could get together and complete additional research if requested by the Council.

Council Member King stated he has heard nothing but overwhelming support of keeping chickens out of the City. He appreciated the presentation and measures supporters of the issue have taken but felt the majority of citizens of Austin do not want this passed.

Council Member Jordal would like an ordinance allowing chickens stating that Austin is lagging behind other urban communities on this issue.

Council Member Boughton stated he received negative feedback on the issue from all parts of the City.

Council Member-at-Large Anderson agreed with Council Member Jordal stating that she believes it is an education issue and there are many ordinances that work for other cities that our City's ordinance could be modeled after.

Council Member Enright stated she was requested to bring the issue to the Council for research but has not heard one person in favor of it besides the people attending the work session. She felt the City is behind in other important areas including housing and the implementation of the rental housing ordinance and she would like to get those areas up to speed before an additional ordinance that requires enforcement action is passed.

Moved by Council Member King, seconded by Council Member Enright, to not move forward with a proposed chicken ordinance at this time. Carried 4-3 with Council Members Carolan, Jordal and Council Member-at-Large Anderson voting nay.

No additional action needed at this time.

Item No. 4 – Audit Report Presentation

Kim Hillberg from CliftonLarsonAllen, LLC presented the 2013 audit report, single audit report, and executive audit summary. Ms. Hillberg noted the City of Austin once again received a “clean” or unqualified opinion and that everything in the financial statement is fairly presented. Ms. Hillberg also noted that there were no adjustments made and that everything during the audit went smoothly. This is the 28th consecutive year that the City has received this opinion which speaks very highly of the Director of Administrative Services Tom Dankert.

Moved by Council Member King, seconded by Council Member Enright, recommending approval of the 2013 audit report. Carried.

The item will be placed on the June 16, 2014 Council meeting.

Item No. 5 – Library Succession Planning

Library Director Ann Hokanson presented a request to Council for a new full-time librarian. The current librarian, Gayle Heimer, is planning on retiring in early 2015 and serves as the cataloger librarian and the technology librarian. There is a need for two people to replace this position. The technology librarian position would be expanded to provide additional technology training

for the public. It would be advantageous to hire the cataloging position while Ms. Heimer is still employed so she can train the new employee and have additional help completing a technology project prior to her retirement. The positions would be funded in 2014 through the Wienke Fund and by the general fund in 2015 and forward. The Library's general fund is a combination of City and County dollars, with 80% coming from the City.

Council Member King asked how long the Library can use the interest on the Wienke fund.

Director of Administrative Services Tom Dankert stated the Library can use the interest earnings until 2026. He added that Ms. Hokanson is spending a significant amount of time at the reference desk instead of leading the Library. The request is for an additional librarian now and the additional position once Ms. Heimer retires in 2015.

Ms. Hokanson stated she would like to know the Council's plan for the library positions so that she can take steps to hire the right individuals for the positions. If the Council isn't willing to add an additional position then the hiring decision will be much different.

Council Member-at-Large Anderson asked if the funding for the position this year would come from Wienke fund.

Ms. Hokanson stated it would be funded through the Wienke fund.

Mayor Stiehm stated Ms. Hokanson stepped up when the Council had to make cuts in past years and since she is coming now to request additional personnel he would like to accommodate her request.

Council Member Boughton asked what other positions are proposed to be added in the City.

Mr. Dankert stated a half-time building inspector is proposed along with a stormwater specialist position. The stormwater position would be funded out of stormwater fees not the general tax levy. So with the library position the 2015 budget would need to be increased to accommodate 1.5 positions.

Council Member Austin stated the Council has had to cut back on staff for many years and now every department is busting at the seams.

Director of Administrative Services Tom Dankert provided a breakdown of the estimated cost for 2014 stating with wages and benefits the person would be projected to cost \$24,627 and \$65,317 in 2015.

Moved by Council Member King, seconded by Council Member Austin, to table the matter until later in the meeting until the 2015 budget discussion. Carried.

Item No. 6 – Community Development Position

Director of Public Works Steven Lang presented on the modification of the Community Development position. The position has evolved over the years through retirements, vacancies and his expanded education. The Community Development Director currently holds the following duties:

- Community Development Director
- Building Official
- Planning & Zoning Administrator

Mr. Lang would like to divide up some of the duties of this position so the City can maximize efficiencies without hiring additional staff.

He recommended a Planning & Zoning Administrator as a new department head. This position would oversee the Building Official, Building Inspector & Zoning/Building Inspector positions. The P&Z Administrator would have the following duties:

- Recommends and coordinates revisions of the zoning and subdivision ordinances and city land use regulations, plans, policies, procedures and development standards.
- Establishes and coordinates plan review and preparation of recommendations for the Planning Commission; provides professional planning and land use advice to city officials
- Administers and enforces floodplain and shoreland management ordinances, along with the Community Rating System
- Provides staff support to the Planning Commission and City Council as needed
- Monitors community to detect and enforce zoning, junk and garbage ordinance violations/complaints
- Assist with aspects of community development

Mr. Lang would like to promote the current building inspection Ron Ripley to a Building Official. Mr. Ripley holds all of the necessary accreditations needed for a building official, has worked for the City for many years and is well versed with the operation of the department and the ongoing projects throughout the community. This position would:

- Inspect and approve all phases of public and private construction work to assure that the appropriate construction is completed in compliance with the plans, specifications, standards, codes and regulations
- Enforce the Minnesota State Building Code
- Perform on-site inspections of general construction practices
- Maintain records of building and inspection activity
- Provide information to public and City staff who request information or assistance in Building Code compliance with construction projects
- Conduct plan reviews for building code compliance

The currently vacant building inspector position would not have any modifications. The City is currently working to fill this position which was vacated.

Mr. Lang added that making the currently vacant part-time zoning/building inspector position a full-time position is one of the Council goals for 2014 with the inclusion of rental housing inspections. This position will work closely with the Planning & Zoning Administrator and is proposed to be filled in the fall with the input of the new department head. It would be brought back to Council at that time for approval. This person's duties would include:

- Conduct land-use and minimum housing code inspections
- Monitor community to detect and enforce zoning, junk, garbage and housing ordinance violations
- Will at times perform on-site inspections of footings, foundations, framing, plumbing, mechanical systems & etc. to ensure that all applicable codes are met.

Mr. Lang recommended that these duties of coordination and client contact for community development be included with the job description for the new City Administrator. The Planning and Zoning Administrator would provide much of the technical information, but the City Administrator would be the initial contact. This would allow the City Administrator to keep on top of the needs and ongoing development throughout the community.

- Provide initial contact for business development
- Draft development agreements for new residential subdivisions and commercial being established in the community
- Supervise the evaluation of land use proposals for conformity to established plans and ordinances; evaluates proposed development impacts as they relate to the City's comprehensive plan.

Council Member Enright asked if the rental housing ordinance would not be implemented until this fall.

Mr. Lang stated that would be the proposed plan.

Ms. Wiechmann stated the increased responsibility of the building official position would create a pay raise for that person. There formerly was a building official position in AEA and she took that wage rate and computed it for 2014 resulting in a top rate of \$29.16. The planning and zoning administrator wage was also reviewed and the salary range is proposed to be \$63,000 to 72,000 annually.

Council Member Enright spoke in favor of the proposal stating she liked shifting some duties to the administrator and the different levels of authority in the building and zoning department.

Council Member Austin asked if potential city administrator candidates would have community development qualification.

Mr. McGarvey stated he believes there will be qualified candidates.

Moved by Council Member Enright, seconded by Council Member Austin, to restructure the current Community Development Director position by creating a Planning and Zoning Administrator department head position, creating a Building Official position and shifting the Community Development duties to the City Administrator position. Carried.

This is a modification of current positions with no new staff being hired at this time.

Item will be placed on June 16, 2014 Council meeting.

Item No. 7 – City Administrator Discussion

Human Resources Director Tricia Wiechmann provided a draft of the city administrator job description which included modifications for input provided by Department Head and Council Members. One proposed change is the addition of community development duties to the City Administrator as discussed by Mr. Lang previously in the agenda.

Council Member Anderson asked about the team culture reference in the description.

Ms. Wiechmann stated this was noted because the culture of the City is unique in that the Department Heads wish to run their own departments and work together as a team in doing so.

Mr. McGarvey stated he reviewed that statement with the Department Heads at a staff meeting recently and everyone was in agreement with the statement as well as the entire job description.

Council Member Enright feels it is important that the Department Heads work together as a team.

After additional review and discussion, moved by Council Member Austin, seconded by Council Member Boughton, for approval of the City Administrator job description. Carried.

The item will be placed on the June 16, 2014 Council meeting.

Ms. Wiechmann went on to review the Community and Position Profile which highlights different businesses and organizations in the City along with a review of the organization of the City and services provided. She reviewed the position requirements, background and experience, culture and the 2014 Council Goals all included in the document. She requested input for any changes and requested the Council set the salary range.

Council Member Enright asked once the applications come in who will narrow the candidate pool.

Ms. Wiechmann stated that she, Mr. Dankert and Mr. McGarvey would narrow them down.

Mr. McGarvey added that approximately the final 10 candidates will be presented to Council and those individuals would be narrowed to the ones selected for interviews.

Ms. Wiechmann added that the interview candidates would come to town on a weekend for a series of Department Head, Council and community interviews along with community tours and social events.

Council Member Boughton noted that the salaries paid in the metro area are much higher than the current city administrator salary.

Mr. McGarvey stated the City's current salary is probably on the low side. The City of Northfield is hiring at \$125,000 and is smaller than Austin. Cities of comparable size to Austin in this area are also higher. He felt that the City needs to move the pay scale up to be competitive and attract quality candidates. He suggested a range of \$120,000 to \$130,000.

After additional discussion, moved by Council Member Enright, seconded by Council Member Austin, for approval of the Community and Position Profile to set the pay scale for the City Administrator at \$120,000 to \$130,000. Carried.

The item will be placed on the June 16, 2014 Council meeting.

Item No. 8 – Jaguar Franchise Agreement

Director of Administrative Services Tom Dankert presented on the proposed franchise agreement with Jaguar Communications. The agreement would provide for the same payment of 5% of the gross revenues and would expire on December 14, 2014. The payments would be back dated to July 1, 2013.

Jaguar serves Lansing Township which was annexed into the City of Austin. The City has been working with Jaguar for about a year on this agreement. The agreement is similar to the current agreement with Charter Communications.

Moved by Council Member King, seconded by Council Member Boughton, for approval an ordinance granting a cable TV franchise to Jaguar Communications, Inc.. Carried.

The item will be placed on the June 16, 2014 Council meeting.

Item No. 9 – 2015 Budget Discussion

Director of Administrative Services Tom Dankert, along with the Department Heads, reviewed their 2014 budgets with Council over the last few work sessions. By September 15th the Council must set the proposed 2015 budget and tax levy. The budget can be modified after that date but the tax levy cannot increase. There are no levy limits in 2015 like there was in 2014. The City ranks 223rd out of 227 cities of similar size in Minnesota meaning Austin has very low taxes. In addition, preliminary numbers indicate that the City will receive \$80,000 more in LGA in 2015. He noted the proposed library position and half time building inspector will add dollars to the tax levy.

Council Member Boughton asked what is normal growth in the community.

Mr. Dankert stated normal growth is 2-3%. In addition, as county agricultural prices go up, taxes will increase on ag land and may result in less of the tax burden on citizens of the City.

Mayor Stiehm asked if no positions were added and the City operated exactly the same in 2015 as it did in 2014, then what would the financial picture be.

Mr. Dankert replied that the City spends approximately 8 million per year on personnel and contractual agreements for 2015 would result in approximately an additional \$160,000, plus there is a PERA increase of approximately \$10,000 and a minimum wage increase of \$10,000. In total, the additional cost to operate in 2015 at the same level as 2014 would be approximately \$180,000.

He continued on to state that the library position and the half time building inspector position would be an additional \$85,000, bringing the total to \$265,000. Then the LGA increase of \$80,000 would be subtracted out, making the bottom line \$185,000, or a 4.5% increase.

Council Member Enright asked if this included an energy conservation employee as discussed previously.

Mr. Dankert stated this did not include an additional employee for that position.

Council Member Enright would like to find funding for that position or consultant.

Mr. Dankert stated those funds could come from contingency or capital outlay also.

Council Member Boughton asked if there was increased funding for Vision 2020.

Mr. Dankert stated there was not at this time.

Council Member Carolan stated the Fire Chief may also be looking for a full time fire inspector.

Mr. Dankert replied staffing levels and operational changes would need to be looked at in regard to that hiring.

After additional discussion, moved by Council Member Enright, seconded by Council Member King, to preliminary set a goal of a 5% increase to the tax levy for 2015. Carried.

No additional action needed at this time as there will be further budget discussions.

Moved by Council Member Austin, seconded by Council Member-at-Large Anderson to authorize hiring an additional professional librarian position at the Library in 2014 prior to the retirement of the current librarian. Carried.

The item will be placed on the June 16, 2014 Council meeting.

Item No. 10- Administrative Report

Director of Administrative Services Tom Dankert briefly reviewed the 2014 Council goal progress.

Item No. 11 - Open Discussion None.

Moved by Council Member Boughton, seconded by Council Member King, to adjourn the meeting at 8:04 p.m.

Respectfully Submitted:



Ann M. Kasel, City Clerk