

**MINUTES**  
**COMMITTEE-OF-THE-WHOLE WORK SESSION**  
**November 4, 2019**  
**City Hall Conference Room A**

**PRESENT:** Mayor Stiehm. Council Members Steve King, Paul Fischer, Rebecca Waller, Jason Baskin, Joyce Poshusta, Laura Helle, Council Member-at-Large Jeff Austin

**ABSENT:**

**STAFF PRESENT:** City Administrator Craig Clark, Director of Administrative Services Tom Dankert, Public Works Director Steven Lang, Fire Chief Jim McCoy, Park and Rec Director Kevin Nelson, Police Chief David McKichan, City Attorney Craig Byram, Planning and Zoning Administrator Holly Wallace, Waste Water Superintendent Chad Heard and City Clerk Ann Kasel

**ALSO PRESENT:** Jerry McCarthy, John Garry, Honorary Council Member Herve Idjidina, Austin Daily Herald, KAUS Radio

Mayor Stiehm opened the meeting at 6:33 p.m.

**Item No. 3 – Discussion of Administrative Officer Hearing**

*The item was taken first at the Mayor's request.*

City Attorney Craig Byram stated Council members have questioned if there is another way to do dangerous dog hearings without having to be the decision maker. Mr. Byram said that the statute requires the decision maker to be impartial but it does not specify who that person or persons has to be. He reviewed the local ordinance language and the statutory language stating the statute has more protections for the owner and the dog, where the local ordinance removes the dog immediately from the home. Mr. Byram stated the ordinance could be modified to be more like state statute if the Council desired.

He stated that if the Council desired to have a designated hearing officer then there would be additional costs of approximately \$600-\$700 per hearing for the officer and an additional \$600-\$700 for the City Attorney's time. Those charges may be recovered from the dog owner if the designation is upheld but the actual money may be difficult to collect.

Council Member Helle stated she didn't want the cost factor to prohibit people from appealing the decision.

Council Member King stated he believes the Council's role is to protect the public and doesn't want a change to the procedures.

The Council stated they did not wish to move forward with changing the procedure at this time. No additional Council action is needed.

### **Item No. 2 – NuTek Business Letter of Intent**

City Administrator Craig Clark stated that there is a company named NuTek interested in coming to Austin. The City has been working on an economic development package for the company with the Port Authority coordinating the project because they are the owner of the land. Mr. Clark stated a tax increment financing district is proposed in the estimated amount of \$928,000 over 9 years; the City issuing the bonds for 80% of the cost of the construction of the facility and provide Grow Austin incentives in the estimated amount of \$75,000. NuTek would need to provide 20% of the building cost down.

John Garry stated NuTek stated the company manufactures food for cells which are used to develop drugs. He stated they are looking to make a decision in 2020 with an opening in 2021. They are also looking at a site not in Minnesota. The building would have a cost of \$8-10 million with an additional \$15 million in equipment. NuTek is proposing 35 full-time jobs at \$22-\$32 an hour with benefits. Mr. Garry stated they have set up several other companies in other cities and have sold the companies after a few years.

Mayor Stiehm asked if the building would be able to be used for anything else if the company left.

City Administrator Craig Clark stated the 20% cost sharing from the company would cover the specialization of the facility. He believed it could be used for another food manufacturing facility. Mr. Clark stated it is a significant risk to the tax payments but there hasn't been development in Creekside business park in a long time.

Mr. Garry stated the company needs to be investigated before any project is started.

Mr. Clark stated there will be many more details as the project takes shape but he is looking for general approval for the project concept.

Council Member-at-Large Austin stated if the City issued the bonds for the project then it would impact the City's ability to bond for future projects.

Director of Administrative Services Tom Dankert stated that is correct.

Council expressed interest in the project and asked Mr. Clark to provide more information prior to it making a final decision on the project.

### **Item No. 1 – Waste Water Treatment Plant Facility Plan**

Public Works Director Steven Lang presented the Waste Water Treatment Plant Facility update stating that the Plant will require significant updates. He presented three different design updates for construction ranging from \$71.2 million to \$94 million dollars. Mr. Lang recommended a

combined activated sludge approach at a cost of \$77.9 million in construction that would meet the City's needs in 2040. Mr. Lang stated that doing nothing isn't an option because the City is pushing the load amount that is already allowed by the MPCA.

He stated he is planning on having a public hearing at the December 2, 2019 Council meeting to provide more information to the public about the project. Designing on the project would take place in 2020 with construction in 2021 through 2024.

He stated the improvements would be funded through proposed state bonding requests of \$15 million, a PSIG grant of \$7 million, Green project grant of \$1 million and sewer user fees of \$51 to \$55 million. That would increase total sewer fees by 75% from 2018 to 2023. The proposed base sewer user rate in 2023 would be \$49.05 per month if the City receives all the grant funding.

No Council action needed at this time.

#### **Item No. 4 – 2020 Budget Discussion & Item No. 5 – 5-year Capital Improvement Plan Review**

Mr. Dankert stated the tax levy cannot be increased for 2020. It is currently set at a 4.03% increase over 2019. He reviewed some of the highlights of the 2020 budget.

#### **Item No. 6 – Council Goals**

None.

#### **Item No. 7 – Administrative Report**

None.

#### **Item No. 8 - Open Discussion**

Honorary Council Member Herve Idjidina stated he came to the United States 5 years ago with his family. He originally lived in Boston but then came to Austin. He stated he enjoys living in Austin and helping new residents.

Moved by Council Member King, seconded by Council Member Baskin, adjourning the meeting at 8:06 p.m.

Respectfully Submitted,

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Ann M. Kasel  
City Clerk