M I N U T E S
COMMITTEE-OF-THE-WHOLE WORK SESSION
November 18, 2024
City Council Chambers

MEMBERS PRESENT:	Mayor Steve King. Council Members Laura Helle, Jason Baskin, Paul Fischer, Geoff Baker
MEMBERS ABSENT:	Council Member Joyce Poshusta, Council Member Michael Postma, and Council Member-at-Large Jeff Austin
STAFF PRESENT:	City Administrator Craig Clark, Director of Administrative Services Tom Dankert, Police Chief David McKichan, Public Works Director Steven Lang, Planning and Zoning Administrator Holly Wallace, Park and Rec Director Jason Sehon, Director of Library Services Julie Clinefelter, Director of Human Resources Trish Wiechmann, City Attorney Craig Byram, and City Clerk Brianne Wolf
APPEARING IN PERSON:	Austin Daily Herald

Mayor Steve King opened the meeting at 6:07 p.m.

1. Southern Minnesota Regional Passenger Rail Initiative/Passenger Rail Brief – Suzie Nakasian

City Administrator Craig Clark introduced Suzie Nakasian, Project Coordinator for the Southern Minnesota Regional Passenger Rail Initiative. Ms. Nakasian stated they are looking for a letter of support for the Southern Minnesota Regional Passenger Rail Initiative. This would be for the potential development for the reintroduction of passenger rail service connecting Greater Minnesota to the Twin Cities and also to the population centers in the Upper Midwest region and the national land track Amtrak network as well.

Ms. Nakasian stated by statute, the state rail plan is revised every 10 years and now she is looking to get support from surrounding southern Minnesota communities. She gave an overview of the rail system plan to Council. She stated if they work together, they can sponsor support for a network of passenger rails, including the Albert Lea Twin Cities corridor, and also the Twin Cities Mankato corridors.

Council Member Baker stated he does not support this as this does not generate nearly enough annually to cover the cost.

Mayor King believes that regional transportation is important.

Ms. Nakasian stated the role we play is to ensure that southern Minnesota doesn't get left behind. The key is to use existing railways we currently have.

Council Member Baskin stated he does not support this as it is a poor use of tax payer dollars and staff time. He believes the City would end up having to subsidize this. He believes there are better and cheaper alternatives.

Ms. Nakasian stated the roadways are becoming congested and the railway is going to help alleviate that.

Mayor King asked what other cities are in support of this.

Ms. Nakasian stated Waseca, Savage, and Belle Plaine are in support of this and she is meeting with Rochester next week.

Council Member Helle stated we should revisit this when we have a full council to see where we stand on this issue. She understands the concerns on this. She does believe that we need to provide options that are not single vehicle options. She is open to the idea of exploring more, especially when there is no price tag involved in it. She stated strong communities have multi-moto options.

Council Member Fischer noted he is not in favor of this.

Moved by Council Member Baskin, seconded by Council Member Baker, opposing a letter of support for the Southern Minnesota Regional Passenger Rail Initiative. Carried 3-1 (Helle-Nay)

No further action needed.

2. Proposed Cannabis Ordinance – Brianne Wolf/Craig Byram

City Clerk Brianne Wolf introduced the proposed Cannabis Ordinance to Council. She stated she collaborated with multiple departments and City Attorney Craig Byram and with the direction of Council they created the proposed Cannabis Ordinance. They used a model ordinance created by the Office of Cannabis Management to assist them is preparing the ordinance. Ms. Wolf is requesting Council approval to move the ordinance to the next Council meeting on December 2, 2024.

City Attorney Craig Byram gave Council an update on the ordinance and explained what it entails. Mr. Byram stated per Council direction there are no setbacks but there are some regulations in the zoning classification. He stated depending on the type of business, it would only be allowed in specific parts of town. A person applying for a cannabis business license would also need to apply for a conditional use permit, if located in a specific zone.

Mr. Byram stated license registration would look very similar to the liquor and tobacco licensing process to create a seamless transition for the Clerk's office for processing. The fees that would be charged would follow the allowable amount by state statute. The hours of operation for cannabis retailers will also mimic those of on or off sale liquor hours.

He stated no temporary cannabis events will be allowed on City property and use will be prohibited in public places as defined in Austin Code Section 6.60. He stated in the future if needs change and as we see the new cannabis laws roll out, we can always update this ordinance.

Council Member Baker stated he is not in favor of the restriction of hours and he would like some type of verbiage about restrictions on interstate commerce.

City Attorney Craig Byram stated the hours are mirroring liquor sales hours and those are dictated by the state. Also, the City would not be the one to impose regulations on restrictions on interstate commerce, the State would need to be the ones to enforce that. The City would be able to revoke a license and report a business to the State for investigation.

Council Member Baskin appreciated the work that went into this ordinance. He appreciates the crawl, walk, run approach we are taking. He stated he is ok with the hours of operation.

Council Member Helle was wondering if there were areas that could be identified where the City might receive push back.

City Attorney Craig Byram stated it may occur when it comes to who receives licensing. The state issues the licenses and the city has no control over who receives licenses. If someone local receives a license but Austin has already filled their allotted limit of licenses then they would not be able to open a business in the City.

Moved by Council Member Baker, seconded by Council Member Helle, approving moving the Cannabis Ordinance to the December 2nd, 2024 Council meeting. Carried 4-0.

This item will be placed on the next Council agenda.

3. Oakland Avenue/1st Avenue SW Update – Steven Lang

Director of Public Works Steven Lang gave an update to Council on the progress of the Oakland Avenue/1st Avenue SW project. Mr. Lang stated they have the funding package put together for this project. They have grants that are available through different years and they are trying to pair the grant dollars with the proposed construction costs.

Grant dollars available are:
2025 $3.5 Million
2026 $1.3 Million
2027 $1.8 Million

Construction costs are:
2025 $5 Million
2026 $4.1 Million
2027 $5 Million

Mr. Lang stated they will phase the construction out over the three years. He would like to hold one assessment hearing for all 170 parcels in 2025. All parcels would be assessed at the 2025 assessment rates. The City would then assess those parcels over the 3-year period. These would be only street assessments no sidewalk assessments.

Mr. Lang also stated they would need to have a temporary 5-foot easement across each parcel while construction is taking place. He is looking at hosting informational meetings with property owners to discuss the project, construction phases, and the temporary easement.

4. Administrative Report

None

4. Open Discussion

Council Member Baskin would like to do a performance evaluation in the future on City Administrator Craig Clark.

Moved by Council Member Baskin, seconded by Council Member Baker, adjourning the meeting at 7:23 p.m. Carried.

Respectfully Submitted,

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Brianne D. Wolf, City Clerk