

On Monday, February 13, 2012 the regular meeting of the Albert Lea City Council was called to order at 7:00 p.m. in the City Center Council Chambers by Mayor Vern Rasmussen, Jr.

PRESENT: Mayor Rasmussen Jr., Councilors Baker, Kehr, Olson, Anderson and Brooks; City Manager Chad Adams, City Clerk Shirley Slater-Schulte and City Engineer Steven Jahnke. Councilor Schulte V was absent.

CONSENT & APPROVAL OF AGENDA

- A. Approve Minutes of the January 23, 2012 Regular Council Meeting
- B. Approve Minutes of the January 19, 2012 Work Session
- C. Licenses and Permits (See attached list)
- D. Resolution 12-17 Accepting Donations
- E. Declare Surplus and Abandoned Property – City Center
- F. Approve Sanitary Sewer Maintenance Policy
- G. Approve Sanitary Sewer Emergency Response Policy
- H. Replacement of Outdoor Civil Defense Siren and Removal of Unused Siren

MOTION: Move to accept the agenda as presented.

Motion made by Councilor Brooks, seconded by Councilor Baker. On roll call vote, the following councilors voted in favor of said motion: Councilors Baker, Kehr, Olson, Anderson, Brooks and Mayor Rasmussen Jr.; Mayor Rasmussen Jr. declared the motion passed. Councilor Schulte V was absent.

PUBLIC FORUM

No one was present for Public Forum.

PETITIONS-REQUESTS-COMMUNICATIONS

APPOINTMENTS TO SENIOR SERVICES TASK FORCE

City Manager Adams explained that the Mayor will be appointing citizens to a task force that has been formed for the purpose of reviewing senior services in the community. Membership of the task force is comprised of volunteers from the Senior Center, Senior Resources of Freeborn County, and city officials Jay Hutchison, Parks & Recreation Director, and Ellen Kehr, councilmember.

MOTION: I will move to approve the Task Force as presented.

Motion made by Councilor Kehr, seconded by Councilor Olson. On roll call vote, the following councilors voted in favor of said motion: Councilors Baker, Kehr, Olson, Anderson, Brooks and Mayor Rasmussen Jr.; Mayor Rasmussen Jr. declared the motion passed. Councilor Schulte V was absent.

UNFINISHED BUSINESS

ORDINANCE 145,4d AMENDING CHAPTER 66, ARTICLE I, SEC. 66-8 – DISCONTINUANCE OF SERVICE (2nd READING)

City Manager Adams explained that the first reading of the ordinance was on January 23rd. The current Albert Lea City Code Utilities Ordinance provides for notice of a hearing on occupants of residence where a person has violated any requirement of the City Code regarding water services. This procedure has not been used over the past several years, and while permissible under the law, is an additional hurdle and procedure which complicates water shut-offs by staff. State law does allow procedures to protect tenants when landlords have failed to make timely payments. Staff recommended deleting this section of the City Code and approving the ordinance as prepared for 2nd reading.

Councilor Baker moved the adoption of the 2nd reading, seconded by Councilor Anderson. On roll call vote, the following councilors voted in favor of said motion: Councilors Baker, Kehr, Olson, Anderson and Mayor Rasmussen Jr. Councilor Brooks voted nay. Mayor Rasmussen Jr. declared the 2nd reading of this ordinance passed. Councilor Schulte V was absent.

(See Secretary's Original Ordinance 145,4d
included with these minutes)

ORDINANCE 146, 4d AMENDING CHAPTER 74, SIGNS IN RESIDENTIAL DISTRICTS FOR NON-RESIDENTIAL USES (2nd READING)

City Manager Adams explained that the first reading of the ordinance was on January 23rd. The Planning Commission held a public hearing on January 3, 2012 and recommended approval of a proposed zoning ordinance amendment to permit signs for non-residential land uses within residential districts, specifically the R-3 Multi-Family District. The change will allow non-residential uses such as professional offices and clinics to have a free standing or building façade sign of up to 32 square feet per side. The previous zoning ordinance permitted signs up to 20 sq. ft. for non-residential uses but this provision was dropped from the new sign section of the zoning ordinance. A 32 sq. ft. sign is consistent with the size of permitted portable signs. Staff recommended approval of the ordinance prepared for 2nd reading.

Councilor Baker moved the adoption of the 2nd reading, seconded by Councilor Kehr. On roll call vote, the following councilors voted in favor of said motion: Councilors Baker, Kehr, Olson, Anderson, Brooks and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the 2nd reading of this ordinance passed. Councilor Schulte V was absent.

(See Secretary's Original Ordinance 146,4d
included with these minutes)

NEW BUSINESS

RESOLUTION 12-18 APPROVING AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES - BROADWAY AVENUE

City Manager Adams explained that in late November 2011, the City of Albert Lea solicited proposals for engineering services for the Broadway Avenue Streetscape Project which involves reconstruction of Broadway Avenue from Main Street (TH 65) to Fountain Street. Work would include a building face to building face renovation including the street, concrete sidewalk, sanitary sewer, storm sewer, watermain, lighting, landscaping and streetscape elements, as well as improvements to Fountain Lake Park at the north end of Broadway Avenue.

The comprehensive plan outlined the goal of the Broadway Avenue Streetscape project which was to *“transform Broadway Avenue into a safe and convenient destination; one that reinforces local character, provides for planned gatherings, and lends a sense of identity to the community. It is also expected that the project enhances opportunities for economic activity, spurs investment from the private sector, and balances the need for improvements with the ability to care for those improvements over the long term.”*

The City of Albert Lea received eight proposals for performing the work with the summary of costs ranging from \$275,000 to \$797,489. All the firms appeared to have a good understanding of the project and submitted proposals which met the objectives outlined. Based primarily on cost, interviews were held with Bolton & Menk, Yaggy Colby Associates, Snyder & Associates, and Stantec. The interview committee consisted of two engineering staff, the city planner and a council member.

Based on the interviews, follow up questions were asked of Bolton & Menk and Stantec. Staff recommended Bolton & Menk, Inc. to perform the work. The Bolton & Menk team includes the current project manager and inspector from the Myers Road project. Their land architect is very knowledgeable and experienced with streetscape projects and has been very active in the Iowa State Visioning Program which is very similar to the Minnesota Design Team concept. Bolton & Menk has also teamed up with Jones, Haugh and Smith. The attached resolution would authorize the Mayor and City Manager to enter into an Agreement with Bolton & Menk, Inc. subject to approval of the City Attorney. The amount of the contract would not exceed \$350,220. Staff recommended approval of the Agreement.

Motion made by Councilor Baker, seconded by Councilor Olson. On roll call vote, the following councilors voted in favor of said motion: Councilors Baker, Kehr, Olson, Anderson, Brooks and Mayor Rasmussen Jr.; Mayor Rasmussen Jr. declared the motion passed. Councilor Schulte V was absent.

(See Secretary's Original Resolution 12-18
included with these minutes)

RESOLUTION 12-19 AMENDING FEE SCHEDULE

City Manager Adams stated that the attached fee schedule would be amended to include the following fees:

- 1) Special Events Permit Administrative Fee - \$25.00
- 2) Value of One Acre of Land - \$10,000 per acre
- 3) Exhibit 'E' - Aquatic Center Season Passes - Individual / \$35.00 and Individual Non- Resident / \$45.00
- 4) Exhibit 'H' - Public Works Labor & Equipment Rates

Motion made by Councilor Olson, seconded by Councilor Baker. On roll call vote, the following councilors voted in favor of said motion: Councilors Baker, Kehr, Olson, Anderson and Mayor Rasmussen Jr.; Mayor Rasmussen Jr. declared the motion passed. Councilor Brooks voted nay. Councilor Schulte V was absent.

(See Secretary's Original Resolution 12-19
included with these minutes)

RESOLUTION 12-20 EXTENDING TERM OF CHARTER COMMUNICATIONS CABLE FRANCHISE

City Manager Adams explained that the attached resolution would grant a four-month extension to CC VII Operating, LLC d/b/a Charter Communications for the term of the current Cable Franchise Agreement which is being reviewed, revised. Mr. Robert Vose, attorney with Kennedy & Graven is representing the City in negotiations with Charter Communications for a new franchise and has recommended approval of the four-month extension. A revision of the franchise agreement is presently being drafted and may be ready for Council review/action in the next month.

Motion made by Councilor Anderson, seconded by Councilor Brooks. On roll call vote, the following councilors voted in favor of said motion: Councilors Baker, Kehr, Olson, Anderson, Brooks and Mayor Rasmussen Jr.; Mayor Rasmussen Jr. declared the motion passed. Councilor Schulte V was absent.

(See Secretary's Original Resolution 12-20
included with these minutes)

MAYOR & CITY COUNCIL REPORTS

First Ward, Councilor Schulte V. was absent.

Second Ward, Councilor Baker reported:

- No Committee updates
- No Ward Items
- Attended "Day at the Capital for Elected Official"

Third Ward, Councilor Kehr reported:

- Committee Updates
- No Ward Items

Fourth Ward, Councilor Olson reported:

- No Committee Updates
- Ward Items –snow removal issues

Fifth Ward, Councilor Anderson reported:

- Committee Updates
- No Ward Items
- Encouraged residents to attend activities planned for the “Big Freeze” scheduled for February 18

Sixth Ward, Councilor Brooks reported:

- Committee updates
- No Ward Items

Mayor Rasmussen Jr. reported:

- Met with a newly created “Senior Citizen Council, “ and invited residents interested in serving on this council to contact City Hall for an application
- Met with Senator Amy Klobuchar
- Met with Representative Walz
- Mayor and City Manager Adams completed the first “State of the City Address” for Albert Lea
- Attended “Day at the Capital for Elected Officials”
- Lobbied at the State for funds for our community
- Invite everyone to the Big Freeze
- Extended a Happy Valentine’s Day wish to everyone

CITY MANAGER’S REPORT:

City Manager Adams had no further report for this meeting.

RESOLUTION 12-21 APPROVAL OF CLAIMS

Councilor Anderson moved that the resolution be approved for payment of claims in the amount of \$535,960.87, seconded by Councilor Baker. On roll call vote, the following councilors voted in favor of said motion: Councilors Baker, Kehr, Olson, Anderson and Mayor Rasmussen Jr. Councilor Brooks abstained. Mayor Rasmussen Jr. declared the motion passed. Councilor Schulte V was absent.

(See Secretary's Original Resolution 12-21
included with these minutes)

ADJOURNMENT

Councilor Brooks moved and Councilor Anderson seconded that there being no further business, the council meeting be adjourned at 7:30 p.m., until the next regular meeting of the Albert Lea City Council at 7:00 p.m. on Monday, February 27, 2012. On roll call vote, all councilors voted in favor of said motion. Mayor Rasmussen Jr. declared the motion passed and the meeting adjourned. Councilor Schulte V was absent.

Mayor Vern Rasmussen, Jr.

Filed and attested February 14, 2012

Secretary to the Council