

PRESENT: Mayor Vern Rasmussen, Councilors John Schulte V, Larry Baker, Ellen Kehr, Reid Olson, Larry Anderson and Al Brooks; City Manager Chad Adams, Engineer Chris Lowe, City Attorney Lee Bjorndal and City Clerk Shirley Slater-Schulte.

CONSENT & APPROVAL OF AGENDA

- A. Approve Minutes of the February 13, 2012 Regular Council Meeting
- B. Approve Minutes of the February 9, 2012 Work Session
- C. Licenses and Permits (See attached list)
- D. Resolution 12-22 - Accepting Donations
- E. Resolution 12-23 - Ordering Preparation of Reports for 2012 Improvement Projects

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 Schulte V, Baker, Kehr, Olson, Anderson, Brooks and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the motion passed.

(See Secretary's Original Resolution 12-22 & 12-23
included with these minutes)

PUBLIC FORUM

Susie Petersen, 102 W. Clark Street, CVB, gave an update on the Big Freeze event. Attendance was up at all the events and 1800 lbs. of food was collected (1192 lbs. collected last year) which was split between the Salvation Army and the First Presbyterian Food Bank. All money collected was donated to the Red Cross. Ms. Petersen thanked sponsors, volunteers, City of Albert Lea, and businesses for their support and everyone that helped to make this a wonderful event.

PETITIONS-REQUESTS-COMMUNICATIONS

EXPANSION OF BANCROFT BAY DISC GOLF COURSE

Tim Engstrom and Ross Brandt from the local Disc Golf Club presented their proposal to expand the current nine-hole disc golf course located in the upper part of Bancroft Bay Park to eighteen holes. They presented their proposal at the February 20th Park and Recreation Advisory Board meeting. The Board voted to support the proposal. They would like to start fundraising efforts and hopefully complete the project by early summer. They are planning to have tournaments in Albert Lea during 2012. They are requesting \$2,200 from the City for the completion of this project. There was discussion on this item and the request will be placed on a future agenda for consideration.

UNFINISHED BUSINESS

NEW BUSINESS

PUBLIC HEARING AND RESOLUTION 12-24 ADOPTING MISCELLANEOUS ASSESSMENTS ROLL 0093

City Manager Adams explained that these assessments include unpaid utility bills, mowing charges, delinquent utilities, sanitary sewer inspections, and other miscellaneous assessments. The attached resolution would adopt Miscellaneous Assessments Roll 0093. Staff recommends approval.

Mayor Rasmussen Jr. opened the Public Hearing.

Ms. Jackie Brooks, 816 Newton Avenue, received a bill in the amount of \$1,000.00 for cleaning up her yard. In the process of cleaning this property, basement windows, lids for the garbage cans and other miscellaneous items were disposed of and the owner is requesting that the assessment be reduced as she cannot afford this assessment.

Mayor Rasmussen Jr. called three times and then closed the public hearing.

Motion made by Councilor Brooks to accept Roll 0093 with the exception of the assessment on 816 Newton Avenue; staff to research this matter and bring it back for future consideration, seconded by Councilor Anderson. On roll call vote, the following councilors voted in favor of said motion: Councilors Schulte V, Baker, Kehr, Olson, Anderson, Brooks and Mayor Rasmussen Jr.; Mayor Rasmussen Jr. declared the motion passed.

(See Secretary's Original Resolution 12-24
included with these minutes)

RESOLUTION 12- 25 AMENDING PROFESSIONAL AGREEMENT WITH MEAD & HUNT AMENDMENT #1 TO PROFESSIONAL SERVICES CONTRACT, TASK ORDER #21 AND AMENDMENT #2 TO TASK ORDER #17

City Manager Adams explained that in April 2005, the City entered into a Professional Services Agreement with Mead & Hunt, Inc. The attached resolution would extend the contract with Mead & Hunt and would amend the contract to include Task Order #21 and Amendment #2 to Task Order #17. Amendment #1 to the Professional Services contract extends the Professional Services Agreement through April 26, 2013 to account for on-going professional services.

Task Order #21 is to provide plans and specifications for the rebidding of the airport apron and installation of wildlife fencing on both the south and east sides of the airport. Amendment #2 to Task Order #17 is time and materials not to exceed the amount of \$68,716. It is to provide additional construction engineering services for the conversion of Runway 16/34 relocation to a parallel taxiway.

The agreements are 95% Federal Funds and 5% City funds and are both contingent on receipt of federal funds and may be reduced after Council approval to reflect funding received. Staff recommends amending the professional agreement with Mead & Hunt.

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.; Councilor Schulte V abstained. Mayor Rasmussen Jr. declared the motion passed.

(See Secretary's Original Resolution 12-25
included with these minutes)

RESOLUTION 12- 26 ACCEPTING FEASIBILITY REPORT AND CALLING A PUBLIC HEARING AT 7:00 PM, MARCH 26, 2012 FOR 2012 NEIGHBORHOOD IMPROVEMENT PROJECT (Job 1250)

City Manager Adams explained that the attached resolution would accept the feasibility report and call a public improvement hearing for March 26th for City Job No. 1250, ‘2012 Neighborhood Improvement Project.’ The proposed project consists of the following improvements:

Neighborhood Improvement Overlay, Curb and Gutter Replacement - This portion of the project involves the bituminous overlay of residential streets in the east central part of the City. The streets are as follows:

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|---|--|
| Eberhart Street – Garfield Ave to St Peter Ave | Eberhart Street – David Ave to Charlotte Ave |
| St Thomas Ave – E Main St to Eberhart St | Columbus Ave – E Main St to the south end |
| St Peter Avenue – SE Marshall St to Eberhart St | Ulstad Avenue – E Main St to SE Marshall St |
| David Avenue – SE Marshall St to Eberhart St | Charlotte Avenue – SE Marshall St to the south end |
| Morningside Road – E Main St to Neale St | Bimelich Lane – East end to Morningside Rd |
| Bimelich Ln – Morningside Rd to Morningside Rd | Neale Street – Morningside Rd to the east end |
| Fenton Avenue – E Main St to the south end | |

The project will involve milling the existing bituminous street surfacing for a six foot width along each concrete gutter line so the new bituminous layer will match with the level of the concrete gutter. A 2-inch thick layer of bituminous would be laid over the entire width of the street. The project would also involve replacing sections of curb and gutter that have settled and are causing drainage issues.

Prospect Avenue - East Main Street to Stevens Road: Bituminous Surface Replacement - This portion of the project involves removing and replacing the existing bituminous surface along Prospect Avenue from E. Main Street to Stevens Road. The pavement is deteriorated and warrants replacement. The City costs are for work in the intersections and for side yard credits.

Sondergaard Park and Edgewater Park Lower Parking Lot Bituminous Surface Replacement - This portion of the project involves removing and replacing the existing bituminous parking lot at Sondergaard Park and the lower parking lot at Edgewater Park. The existing pavements at both these locations are severely deteriorated and have essentially turned to gravel. The Edgewater Parking lot is also proposed to be reduced in size by approximately one-half. This portion of the project will be 100% City cost and will not be assessed. It is possible the Edgewater lot may be delayed for another year. For this project, Engineering is proposing to separate the assessments such that the overlay areas will be assessed over five years and the Prospect Avenue reconstruction will be assessed over 15 years. Both areas would be assessed at the interest rate of 4.1%. This is in line with the City's assessment policy. A neighborhood meeting has been scheduled for March 7, 2012 at 7:00 p.m. to discuss the project with affected residents. Staff recommends approval.

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

(See Secretary's Original Resolution 12-26
included with these minutes)

RESOLUTION 12-27 ACCEPTING FEASIBILITY REPORT AND CALLING A PUBLIC HEARING AT 7:00 PM, MARCH 26, 2012 FOR 2012 STATE AID NEIGHBORHOOD IMPROVEMENT PROJECT (JOB 1251)

City Manager Adams explained that the attached resolution would accept the feasibility report and call a public improvement hearing for March 26th for City Job No. 1251, '2012 State Aid Street Overlay Project.' The proposed project consists of the following improvements:

State Aid and Residential Street Overlay, Curb and Gutter and Sidewalk Replacement - This portion of the project involves the bituminous overlay of several State Aid and local streets throughout the City:

Clark St – TH 13 to 1st Ave

Prospect Ave – E Main St to SE Marshall St

SE Marshall St – Morningside Rd to Prospect Ave

The project will involve milling the existing bituminous street surfacing for a six foot width along each concrete gutter line so the new bituminous layer will match with the level of the concrete gutter. A 2-inch thick layer of bituminous would be laid over the entire width of the street. The project would also involve replacing sections of curb and gutter that have settled and are causing drainage issues, as well as sections of existing sidewalk that are damaged or displaced and are causing tripping hazards.

New Sidewalk Installation - New sidewalk will be installed along sections of Clark Street and Prospect Avenue where there currently is none. This is being done in accordance with the City's assessment policy which states that all State Aid streets shall have sidewalk on at least one side. The sections receiving new sidewalk are:

Clark Street – TH 13 to S. 6th Avenue: New sidewalk along the south side
Prospect Avenue – Consul Street to E Main Street: New sidewalk along the east side

SE Marshall Street - St Peter Avenue to Morningside Road and St Peter Avenue - East Main Street to SE Marshall Street - These roadways were built in 1958 and 1966 and have not been overlaid. The existing bituminous pavement on this roadway is in poor condition and warrants reconstruction. Proposed work is to remove and replace the existing bituminous surface as well as miscellaneous curb and gutter where it has settled and is causing drainage problems. Even though SE Marshall Street is not on the State Aid System and therefore ineligible for State Aid funds, Engineering has included it in this project because it is a long, straight section of roadway and is a better fit with the other State Aid projects rather than including it with the neighborhood project.

SE Marshall Street Watermain Replacement - East Main Street to Charlotte Avenue - The section of watermain from East Main Street to Charlotte Avenue has had a history of breaks. This section of watermain was constructed in 1961. Engineering is proposing to replace this section of watermain as part of the project. Additionally, the watermain will be increased in size from a 6-inch line to an 8-inch line. The upsizing is being done in order to provide adequate fire flow protection and increase the reliability of the watermain system. As per the City's assessment policy, the assessments would be over ten years at the current assessment interest rate of 4.1%. A neighborhood meeting is scheduled for March 8, 2012 at 7:30 pm to discuss the project with the affected residents. Staff recommends approval.

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

(See Secretary's Original Resolution 12-27
included with these minutes)

RESOLUTION 12-28 ACCEPTING FEASIBILITY REPORT AND AUTHORIZING DISCUSSIONS WITH ALBERT LEA TOWNSHIP FOR WEST 9TH STREET FROM TH-69 TO SOUTH BROADWAY AVENUE (JOB 1126)

City Manager Adams explained that the proposed project consists of a bituminous reclamation and overlay of 9th Street from TH-69 to 4th Avenue and a mill and overlay from 4th Avenue to South Broadway. The project will involve a Joint Powers Agreement with Albert Lea Township to clearly outline the cost sharing and long term responsibilities for the roadway. Engineering also evaluated a potential sidewalk from TH-69 to 4th Avenue. This would tie together Wedgewood Cove and a proposed shared user trail along TH-69 and proposed future sidewalk on 4th Avenue. Additional discussion and evaluation is needed and the project will be designed both with and without this sidewalk. The attached resolution would accept the feasibility report and authorize the City Manager to negotiate with Albert Lea Township for City Job No. 1126, and present the Feasibility Report, Joint Powers Agreement, and proposed assessments to the Albert Lea Township. Staff recommends approval.

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

(See Secretary's Original Resolution 12-28
included with these minutes)

RESOLUTION 12- 29 CALLING PUBLIC HEARING ON PROPOSED USE OF REVENUE FROM EXISTING TAX INCREMENT FINANCING DISTRICTS UNDER THE TAX INCREMENT FINANCING JOBS STIMULUS PROGRAM AND THE PROPOSED ADOPTION OF A SPENDING PLAN RELATING THERETO

City Manager Adams explained that Mrs. Gerry's Kitchen, Inc. is proposing an approximate 36,000 sq. ft. facilities expansion. The Port Authority and City have been working with the company on a proposed financing package, part of which includes tax increment financing. Tax increment would be provided to the project via (1) the TIF Jobs Stimulus Program and (2) establishment of a new TIF District. In 2010, development authorities were given temporary expanded authority to use tax increment in ways not previously authorized. The purpose of this expanded authority is to stimulate economic recovery through assistance to private development, provided that construction commences no later than July 1, 2012. Under the Jobs Stimulus Program, development authorities are given temporary authority to use available and uncommitted tax increment revenue from any type of TIF district to assist private development consisting of the construction or substantial rehabilitation of buildings and ancillary facilities. The City presently has tax increment available to use for this purpose. It is expected that Mrs. Gerry's would create at least 10 jobs with the expansion project. Staff recommends approval of the resolution which would set a public hearing date for April 9th.

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

(See Secretary's Original Resolution 12-29
included with these minutes)

RESOLUTION 12-30 CALLING PUBLIC HEARING ON PROPOSED ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT NO. 5-22 AND THE PROPOSED ADOPTION OF A TAX INCREMENT FINANCING PLAN RELATING THERETO

City Manager Adams explained that the creation of TIF District No. 5-22 would allow the City to capture new tax increment generated from the Mrs. Gerry's expansion project. The proposal would establish an "economic development" tax increment district that would provide nine years of increment beginning in 2014 and continuing through 2022. Staff recommends approval of the resolution which would set a public hearing date for April 9th.

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

(See Secretary's Original Resolution 12-30
included with these minutes)

MAYOR & CITY COUNCIL REPORTS

First Ward, Councilor Schulte V. reported:

- No Ward Items
- Committee updates

Second Ward, Councilor Baker reported:

- Committee updates
- No Ward Items

Third Ward, Councilor Kehr reported:

- Committee Updates
- No Ward Items
- Thank you to Park and Recreation for replacement of the bench

Fourth Ward, Councilor Olson reported:

- Committee Updates
- Ward Items

Fifth Ward, Councilor Anderson reported:

- Committee updates
- Ward Items
- Thanked everyone who helped during the Big Freeze
- Encouraged residents to be safe during the upcoming storm

Sixth Ward, Councilor Brooks reported:

- Committee updates
- Ward Items
- Requested a speed sign in an alley way

Mayor Rasmussen Jr. reported:

- Thank you for the installation of the bench
- Watershed will be presenting at the Legislature regarding the dredging project
- Thank you to the Senior Center, Senior Resource Center and City Staff for working towards sharing of services, etc.
- Thank you to the Winter Tiger's Sporting events and good luck to the Section and State Tournaments

CITY MANAGER REPORT

City Manager Adams gave an update on the School Resource Officer positions as follows:

- City and School have recently been studying ongoing partnerships and collaborations in a variety of areas including the Youth First program, use of school facilities for City recreation programs, school use of City Arena for hockey program, as well as the School Resource Officer positions.
- City staff leadership and school staff leadership have mutually determined that the resources provided by the existing SRO at Southwest Middle School can be restructured to benefit both the City and School.
- Effective for the school year 2012-13, it is recommended to discontinue the SRO position at Southwest Middle School and for the City to continue providing availability of trained officers on an as needed basis. The School will plan to structure staffing resources to meet other administrative and service needs currently being provided by the SRO.
- The City believes the change will be a more cost effective allocation of both the City's and School's available resources, while still meeting the service needs at southwest Middle School.

RESOLUTION 12-31 APPROVAL OF CLAIMS

Councilor Brooks moved that the resolution be approved for payment of claims in the amount of \$370,520.33, seconded by Councilor Baker. On roll call vote, the following councilors voted in favor of said motion: Councilors Schulte V, Baker, Kehr, Olson, Anderson, Brooks and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the motion passed.

(See Secretary's Original Resolution 12-31
included with these minutes)

ADJOURNMENT

Councilor Brooks moved and Councilor Schulte V seconded that there being no further business, the council meeting be adjourned at 8:05 p.m., until the next regular meeting of the Albert Lea City Council

at 7:00 p.m. on Monday, March 12, 2012. On roll call vote, all councilors voted in favor of said motion. Mayor Rasmussen Jr. declared the motion passed and the meeting adjourned.

Mayor Vern Rasmussen, Jr.

Filed and attested February 28, 2012

Secretary to the Council