

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

CONSENT & APPROVAL OF AGENDA

- A. Approve Minutes of the February 27, 2012 Regular Council Meeting
- B. Approve Minutes of the February 23, 2012 Work Session
- C. Licenses and Permits (See attached list)
- D. Resolution Accepting Donations
- E. Reschedule May 28, 2012 Regular Council Meeting to May 29, 2012

MOTION: Move to accept the agenda as presented.

Motion made by Councilor Brooks, 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 12-32
included with these minutes)

PUBLIC FORUM

PETITIONS-REQUESTS-COMMUNICATIONS

REQUEST OF FREEBORN COUNTY AGRICULTURAL SOCIETY FOR ON-SALE LIQUOR LICENSE

Mr. Jeff Fjelstad, 73438 225th Street, Albert Lea, MN and Mr. Troy Thompson, 75684 283rd Street, Clarks Grove, MN stated that they would like to determine proper clarification of their request for an On-Sale Liquor License for the Freeborn County Agricultural Society. They presented a copy of the Minnesota Statutes pertaining to liquor and stated that there are several events held at the Freeborn County Fairgrounds and that this facility is very unique. They have been in contact with the Department of Public Safety, Alcohol and Gambling Division regarding this request.

Mr. Fjelstad stated that he would be the Events Coordinator for the Fair Board, and expanded on his experience and ability to facilitate this position. He stated that if any lawsuits occurred, they would never get past Dram Shop Insurance. He encouraged council to send the liquor application to Liquor Control.

Mayor Rasmussen stated that it is the intent of the council to protect the citizens of Albert Lea. Councilors discussed this issue and suggested that a telephone conference be held for both parties with Liquor Control.

MOTION: I will move to table this item until March 26, 2012 Council Meeting.

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.

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION 12-33 ADOPTING MISCELLANEOUS ASSESSMENTS ROLL 0094

City Manager Adams explained that there are two assessments totaling \$7,492.81. The assessments are for properties that failed the Sanitary Sewer Inspection and have requested that the city do the repairs and assess the property. Owners have waived their right to a public hearing. The attached resolution would adopt Miscellaneous Assessments Roll 0094 and place the assessments on the tax roll over a five year period. Staff recommends approval.

Motion made by Councilor Schulte V to adopt Roll 0094, 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 12-33
included with these minutes)

RESOLUTION 12-34 ADOPTING MISCELLANEOUS ASSESSMENTS ROLL 0096

City Manager Adams explained that there are two assessments totaling \$3,962.65. These are the Ashley Court assessments for installation of watermain, hydrant & gravel cul-de-sac per Hugh O'Byrne's request. Mr. O'Byrne has waived his right to a public hearing. The assessments will be placed on the tax roll over a five year period. The attached resolution would adopt Miscellaneous Assessments Roll 0096. Staff recommends approval.

Motion made by Councilor Kehr, 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 12-34
included with these minutes)

RESOLUTION 12-35 APPROVING CONDITIONAL USE PERMIT FOR FREEBORN COUNTY HISTORICAL SOCIETY

City Manager Adams explained that the Albert Lea Planning Commission met on February 21, 2012 and recommended approval of a conditional use permit to allow the expansion of the Freeborn County

Historical Society Museum located at 1031 Bridge Avenue. The expansion is approximately 10,000 sq. ft. on two floors resulting in a total museum floor area of 22,000 sq. ft. The addition will be to the north of the existing building and the entrance will be off the fairgrounds entrance instead of Bridge Avenue. The northerly extension allows greater access to parking and also accommodates a potential widening of Bridge Avenue. The plan does not affect the layout of the Pioneer Village. The attached resolution would approve the conditional use permit. The fairgrounds is zoned PD Planned Development District and all uses within the fairgrounds are conditional uses. 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 12-35
included with these minutes)

RESOLUTION 12-36 APPROVING PRELIMINARY AND FINAL PLAT FOR MERRICK'S ADDITION

City Manager Adams explained that the purpose of the plat is to combine all of the original lots on Merrick's site, 517 Adams Avenue, into two lots and one block. Adams Avenue was previously vacated and there is a utility easement in the street. One lot will be the land to the north and east of Adams Avenue and the second lot will be to the south and west of Adams Avenue. The attached resolution would approve the preliminary and final plat of Merrick's Addition. The plat does not affect the city greenbelt along Euclid Avenue and no dedications are required. The Albert Lea Planning Commission reviewed the request at their February meeting and recommended approval. Staff recommends approval of the final plat.

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

(See Secretary's Original Resolution 12-36
included with these minutes)

RESOLUTION 12-37 ACCEPTING BID AND AWARDING CONTRACT FOR AIRPORT PROPERTY CROPLAND RENTAL

City Manager Adams stated that sealed bids were accepted by the City for the rental of approximately 56 acres of cropland adjacent to the Municipal Airport. Three bids were received for rental of the land. Mr. Matt Neilson of Austin, MN bid \$25.00/acre; Mr. Bill Wilkie of Hollandale, MN bid \$135.00/acre; and Mr. Dan Kluender of Walters, MN bid \$216.00/acre. Staff is recommending accepting the highest and best bid received from Mr. Dan Kluender to rent the property for the 2012-16 growing season.

Motion made by Councilor Anderson, 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 12-37
included with these minutes)

ORDINANCE 147,4d AMENDING ZONING AND LAND USE MAP (1ST READING)

City Manager Adams explained that city staff has updated the Zoning and Land Use Map to reflect amendments and annexations. The zoning map is part of the zoning ordinance and is adopted along with the ordinance text by ordinance. The Planning Commission has reviewed the updated map and recommends its adoption by ordinance on March 26, 2012. Every time there is a map amendment or annexation, the map should be re-adopted by ordinance and dated. Staff recommends approval.

Councilor Brooks moved the adoption of the 1st reading, 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 1st reading of this ordinance passed.

(See Secretary's Original Ordinance 147,4d
included with these minutes)

MAYOR & CITY COUNCIL REPORTS

First Ward, Councilor Schulte's report:

- No Ward Items
- Committee updates

Second Ward, Councilor Baker's report:

- Committee updates
- No Ward Items

Third Ward, Councilor Kehr's report:

- Committee Updates
- No Ward Items

Fourth Ward, Councilor Olson's report:

- Committee Updates
- No Ward Items
- Congratulated Carol Colstrup, longtime figure skating teacher. The Arena's red rink was named in her honor.

Fifth Ward, Councilor Anderson's report:

- Committee updates
- No Ward Items

Sixth Ward, Councilor Brooks' report:

- Committee updates
- Ward Items – Review of property on Larson Avenue

Mayor Rasmussen's report:

- Encouraged residents to apply to serve on the steering committee to review and participate in the Broadway Streetscape Project.
- Congratulated all State Wrestlers, with special recognition to Bryce DeBoer for winning the State Championship.

CITY MANAGER REPORT

City Manager Adams gave an update on the following:

- Encouraged residents interested in serving on the Broadway Streetscape steering committee to contact City Hall.
- Encouraged residents with expertise in Fire Services to contact City Hall, as meetings are being scheduled for next week with the firm that will review these services.

RESOLUTION 12-38 APPROVAL OF CLAIMS

Councilor Olson moved that the resolution be approved for payment of claims in the amount of \$479,346.56, seconded by Councilor Brooks. 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 12-38
included with these minutes)

ADJOURNMENT

Councilor Schulte V moved and Councilor Baker 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, March 26, 2012. On roll call vote, all councilors voted in favor of said motion. Mayor Rasmussen declared the motion passed and the meeting adjourned.

Mayor Vern Rasmussen, Jr.

Filed and attested March 13, 2012

Secretary to the Council