

**REGULAR COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA
Monday, April 28, 2014, 7:00 P.M.**

PRESENT: Mayor Rasmussen Jr., Councilors John Schulte V, Larry Baker, George Marin, Reid Olson, Larry Anderson and Al Brooks. Also present was City Manager Chad Adams, City Engineer Steven Jahnke and City Clerk Shirley Slater-Schulte. A representative from the Albert Lea Tribune was also present.

CEREMONIAL ITEMS

PUBLIC FORUM

CONSENT AND APPROVAL OF AGENDA

- A. Approve Minutes Of The April 14, 2014 Regular Council Meeting
- B. Approve Minutes Of The April 10, 2014 Work Session
- C. Licenses And Permits (See Attached List)
- D. Schedule Joint Work Session of the Albert Lea City Council and Freeborn County Commissioners for May, 2014 at 5:30 P.M.

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

PETITIONS, REQUESTS, AND COMMUNICATIONS

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION 14-78 APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT OF BIDS FOR 2014 NEIGHBORHOOD IMPROVEMENT PROJECT (JOB 1450)

City Manager Adams explained that on April 14, 2014 a Public Improvement Hearing for City Job No. 1450 was held and the project was authorized to proceed. The proposed project involves the bituminous overlay and miscellaneous curb replacement of residential streets in the southwest parts of the City. The streets are as follows:

Canary Drive – W. 9th Street to Swanhill Drive

Spartan Avenue – W. 9th Street to the cul-de-sac

Gateway Drive – TH 69 to Swanhill Drive

Skylark Lane – Southview Lane to TH 69

Pinehill Drive – Southview Lane to Plainview Lane

Regency Lane – W. 9th Street to Gateway Drive

Penn Avenue – W. 9th Street to Gateway Drive

Southview Lane – TH 69 to 4th Avenue

Swanhill Drive – W. 9th Street to Plainview Lane

Rosehill Dr. – Southview Lane to Plainview Lane

Maplehill Drive – Southview Lane to Plainview Lane
Elmhill Drive – Birch Hill Drive to Plainview Lane

Birchhill Dr.– Southview Lane to Plainview Lane
Plainview Lane – Skylark Lane to 4th Avenue

The project will involve milling the existing bituminous street surfacing for a 6-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. Regency Lane is constructed as a dish-shaped street with the water running to the center of the street and then carried to a storm sewer inlet located along the centerline of the street. In order to maintain drainage along Regency Lane, this street will be milled two inches deep for the full width of the street prior to placing the new overlay.

Staff recommends approving the plans and specifications and authorizing bidding of the project.

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

(See Secretary's Original Resolution 14-78
included with these minutes.)

**RESOLUTION 14-79 APPROVING PLANS AND SPECIFICATIONS AND ORDERING
ADVERTISEMENT OF BIDS FOR FOUNTAIN STREET SANITARY SEWER LIFT STATION
IMPROVEMENTS AND FORCE MAIN CONSTRUCTION (JOB 1254)**

City Manager Adams explained that on February 24, 2014 the Council accepted the Feasibility Report and authorized the preparation of plans and specifications for the Fountain Street Sanitary Sewer Lift Station Improvements and Force Main Construction, Job 1254. The project involves the replacement of the current pumps, valves, and piping in the existing lift station and the construction of a new force main from the Fountain Street Sanitary Sewer Lift Station to the Hayek Park Sanitary Sewer Lift Station. The force main is proposed to be installed by Horizontal Directional Drilling (HDD) to minimize impacts to the existing streets. The project will require street cuts at intersections to make connections. The estimated project costs are \$266,284.

The Fountain Street Lift Station was constructed in the early 60's. When it was first constructed it served a much smaller area of town than what is currently connected. The lift station currently outlets through less than 20 feet of force main to a sanitary manhole just north of the lift station. The sewage then flows by gravity to the Hayek Park Sanitary Lift Station. This is an area that has been identified as having sanitary sewer backups during heavy rain events. The project is being proposed to eliminate or greatly reduce the likelihood of this occurring in the future. Staff recommends approving the plans and specifications and authorizing the bidding of the project.

Motion made by Councilor Baker and seconded by Councilor Brooks. On roll call vote, the following councilors voted in favor of said motion: Councilors Schulte V, Baker, Marin, Olson,

Anderson, Brooks and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the motion passed.

(See Secretary's Original Resolution 14-79
included with these minutes.)

RESOLUTION 14-80 APPROVING PROFESSIONAL SERVICE AGREEMENT WITH JONES, HAUGH & SMITH, INC. FOR ST. JOHN'S AND STABLES AREA (JOB 9432)

City Manager Adams explained that on November 15, 2013, the City of Albert Lea solicited proposals for engineering services for design and construction oversight for the construction of a sanitary sewer lift station, water main, sanitary sewer, storm sewer, and bituminous and gravel street construction to service the proposed St. John's Lutheran Home Facility and Stables Area north of Edgewater Park. The design proposal also accommodated future extension of the sanitary sewer and water main north along CSAH 20 to the West Plaza Street area. The City received proposals from four firms; a comparison of the proposals is provided for Council review.

The proposal from Jones, Haugh, & Smith, Inc. (JHS) was the low proposal for the work. JHS is very familiar with the project. They have been working with St. John's and have also assisted the City in preparing a submittal to the Public Facilities Authority. Based on this, Engineering is recommending that Jones, Haugh, & Smith proceed with the work. In December, the Council approved \$13,420 for completion of the survey work and an income survey. No development agreement has been established with St. John's. St. John's had agreed to pay the costs up to the 75% complete plans and specifications or up to \$40,320 upon invoice from the City. The Agreement is being prepared by the City Attorney. The Development Agreement will ultimately determine the cost share of the work. The proposal is for \$195,225 less the work previously approved. City Council approval would be contingent on the Agreement being signed by St. John's. In addition, the Agreement will be written so the work can be stopped if St. John's chooses not to move forward with the project. Staff recommends approval.

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

(See Secretary's Original Resolution 14-80
included with these minutes.)

RESOLUTION 14-81 APPROVING AGREEMENT BETWEEN ST. JOHN'S LUTHERAN HOME OF ALBERT LEA AND THE CITY OF ALBERT LEA

City Manager Adams explained that the City is working with St. John's Lutheran Home of Albert Lea to facilitate a construction project. The City will engage Jones, Haugh & Smith, Inc. (JHS) for engineering and design services. The City will be responsible for \$13,420 and has already

been authorized to spend that amount. The City will contract with JHS if St. John's agrees to pay the City the next \$40,320 in charges. The City will be the "owner" of the work product. Staff recommends approval.

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

(See Secretary's Original Resolution 14-81
included with these minutes.)

**RESOLUTION 14-82 APPROVING PRELIMINARY AND FINAL PLAT OF TIGER HILLS
THIRD ADDITION**

City Manager Adams explained that the Farmer's State Bank of Hartland has submitted an application to create seven new lots in Tiger Hills Third Addition. They do not intend to build on any of them at this point in time. The Planning Commission met on April 1, 2014 and recommended approval of the request. The key condition is that the applicant must enter into a Development Agreement to ensure that no building permit will be requested or approved until all public infrastructure is installed according to the preliminary plat design for Tiger Hills. Staff recommends approval.

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

(See Secretary's Original Resolution 14-82
included with these minutes.)

**RESOLUTION 14-83 APPROVING DEVELOPMENT AGREEMENT BETWEEN CITY OF
ALBERT LEA AND FARMERS STATE BANK OF HARTLAND**

City Manager Adams explained that the attached resolution would authorize the Mayor and City Manager to enter into an Agreement with Farmers State Bank of Hartland to identify the terms and conditions for approval of plats for Tiger Hills Third Addition which includes a deed restriction on the seven lots requiring them to pay for public infrastructure rather than through the traditional 429 process or special assessments. Staff recommends approval of the agreement.

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

(See Secretary's Original Resolution 14-83
included with these minutes.)

COUNCIL REPORTS

First Ward, Councilor Schulte V reported:

- Ward Items – Individual interested in fundraising for Dog Park
- Committee update – Reported on HRA Meeting

Second Ward, Councilor Baker reported:

- Ward Items – City to replace the post in the Broadway Parking Lot
- Committee update – Attended the VA Clinic Open House

Third Ward, Councilor Marin reported:

- Ward Items – None
- Committee updates - Stated that Mayor Rasmussen Jr., Commissioner Shoff and U.S Congressman Walz did a wonderful job at the VA Clinic Open House event. Thanked all veterans and commented that this will be a wonderful addition to the community.
- Update on Sunset Street – Thanked City Engineer Steven Jahnke, Street Supt. Scott Overland and the Street crew for an excellent job in leveling the dirt and gravel on the Sunset Street extension.
- Thanked Finance Director Terry Berg for working with a resident in Ward 3 regarding his utility bill.

Fourth Ward, Councilor Olson reported:

- Ward Items – Received information on a dilapidated house.
- Committee updates – Attended the Parks and Recreation Advisory Board Meeting; main topics were Dog Park locations and an update on the 'Save the Edgewater Cottage' project.

Fifth Ward, Councilor Anderson reported:

- Ward Items - Letter needs to be sent to residents encouraging them to switch sump pumps from the inside to the outside.
- Committee updates -Attended the VA Clinic Grand Opening

Sixth Ward, Councilor Brooks reported:

- Ward Items – Working with staff on a couple of items.

- Committee updates – Attended CVB Meeting; also reminded City of the following events: Bike-A-Thon, Demo Derby and Dancing with the Stars.

REPORT OF THE MAYOR

- Met with Senator Klobuchar regarding the skilled workforce program.
- Met with the Southern Sudanese population to discuss their concerns regarding community, jobs, etc.
- Opportunity to speak at the VA Clinic Grand Opening and thanked the community for their support.
- Home Town Pride Clean-Up Day is scheduled for Saturday, May 3, 2014 from 9 to noon.

REPORT OF THE CITY MANAGER

- City Manager Adams provided an update on the Freeborn Bank Building and Jacobson Building Project. The City continues to work with the developer on a Development Agreement and ultimately the purchase and sale of the buildings. On Tuesday, May 13, 2014, the developer is planning to hold an Open House at the Freeborn Bank Building to unveil the proposed use and plan for the project. On Tuesday, May 20, 2014, the Planning Commission will consider if the plan and use is consistent with the City's Comprehensive Plan. On Tuesday, May 27, 2014, the City Council will conduct a Public Hearing on the potential sale of the building.

RESOLUTION 14- 84 APPROVING CONTRACT WITH COUNCILMEMBER SCHULTE V

City Manager Adams noted in the Staff report that the attached resolution directs the Mayor and City Clerk to make payment in the amount of \$3,324.57 on behalf of the City for a claim from Jones, Haugh & Smith, Inc. and to issue payment for filing the affidavit of official interest by the interested official, Councilmember John Schulte V.

Councilor Marin moved that the resolution be approved for payment of claims in the amount of \$3,324.57 to Jones, Haugh & Smith, Inc., seconded by Councilor Brooks. On roll call vote, the following councilors voted in favor of said motion: Councilors Baker, Marin, Olson, Anderson, Brooks and Mayor Rasmussen Jr. Councilor Schulte V. abstained. Mayor Rasmussen Jr. declared the motion passed.

(See Secretary's Original Resolution 14-84
included with these minutes.)

RESOLUTION 14-85 APPROVAL OF CLAIMS

City Manager Adams noted in the Staff report that the attached resolution directs the Mayor and City Clerk to issue the payment of claims as presented in the Detail of Claims report.

Motion made by Councilor Brooks to approve payment of claims as presented for checks #52296 through #52429 in the amount of \$514,506.81, seconded by Councilor Baker. On roll call

vote, the following councilors voted in favor of said motion: Councilors Schulte V, Baker, Marin, Olson, Anderson, Brooks and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the motion passed.

(See Secretary's Original Resolution 14-85
included with these minutes.)

ADJOURNMENT 7:25 P.M.

Councilor Marin moved and Councilor Baker seconded that there being no further business, the Council meeting be adjourned until the next regular meeting of the Albert Lea City Council at 7:00 p.m., on Monday, May 12, 2014. 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.

Dated this 28th day of April, 2014

Shirley Slater-Schulte, Council Secretary