

PRESENT: Mayor Rasmussen Jr., Councilors Larry Baker, Reid Olson, Larry Anderson and Al Brooks. Also present was City Manager Chad Adams, City Engineer Steven Jahnke, Public Safety Director Dwaine Winkels, Assistant City Manager Sack Thongvanh, City Clerk Shirley Slater-Schulte and a representative from the Albert Lea Tribune. Councilor George Marin and John Schulte V were absent.

MAYORAL PROCLAMATION OF ALBERT LEA, MINNESOTA BIKE MONTH

Mayor Rasmussen Jr. proclaimed the month of May as Albert Lea, Minnesota Bike Month.

APPOINTMENT TO ADVISORY PLANNING COMMISSION

Mayor Rasmussen Jr. stated that the Planning Commission has had one position open on its seven-member board since December 31, 2012. City Ordinance 112,3d allows the outgoing member to remain on the board until replaced. Commissioner Tony Trow agreed to continue serving until a replacement was appointed. Pamela Schmidt has applied for the position and is seeking appointment by the Council.

MOTION: I will move to appoint Pamela Schmidt to the Advisory Planning Commission.

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

CITIZEN ACADEMY GRADUATION

Lieutenant Strom presented the graduating 2013 Police Department Citizen Academy Class. Strom stated that these individuals completed eight weeks of lecture and training. The classes were on Thursday from 7:00 p.m. to 9:30 p.m. The Citizen Academy is a community police program which started in May of 2001. The program offers comprehensive information on the Albert Lea Police Department's operational policies and procedures. It is a free course which includes an optional 4 hour ride-along with a police officer on a tour of duty. The mission of the program is to forge cooperation and trust between citizens and the Police Department. The classes are instructed by members of the department and cadets learn about topics such as police equipment, narcotics, use of force, and investigations among others.

Mayor Rasmussen Jr. and councilors congratulated all of the participants that graduated from the 2013 Police Department Citizen Academy Class.

CONSENT AGENDA

- A. Approve Minutes Of The April 22, 2013 Regular Council Meeting
- B. Approve Minutes Of The April 18, 2013 Work Session
- C. Licenses And Permits (See Attached List)
- D. Resolution 13-65 Accepting Donations
- E. Resolution 13-66-Approving Termination Of Preliminary Development Agreement With Freeborn Partners, LLC
- F. Resolution 13-67 Authorizing Broadway Ridge Grant Agreement With Stadheim Jewelers
- G. Resolution 13-68 Authorizing Broadway Ridge Grant Agreement With Brian and Linda Knudsen DBA Plymouth Shoes
- H. Resolution 13-69 Authorizing Broadway Ridge Grant Agreement With Scott Boyer
- I. Resolution 13-70 Revising The Municipal State Aid Street System
- J. Resolution 13-71 Authorizing Sale Of City Property To City Of New Richland
- K. Resolution 13-72 Authorizing Sale Of City Property To City Of Alden
- L. Approving Bid From ARID-Ice For Desiccant Dehumidification Unit At City Arena
- M. Resolution 13-73 Authorizing Agreement With Bowman Electric, LLC
- N. Resolution 13-74 Authorizing Agreement With Kelley Plumbing, Heating & Cooling
- O. Resolution 13-75 Accepting Gifting Of 310 Broadway Avenue South To The City Of Albert Lea
- P. Resolution 13-76 Waiving Assessment And Taxes On 310 Broadway Avenue South
- Q. Reschedule June 6 Work Session To Be Held At Albert Lea Municipal Airport

MOTION: I will move to approve the consent agenda as presented.

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

(See Secretary’s Original Resolutions 13-65 -13-76
included with these minutes.)

PUBLIC FORUM

Mr. Harold Kamrath, 326 Glenn Road, had several questions regarding the sale of city property to the City of Alden and City of New Richland.

PETITIONS-REQUESTS-COMMUNICATIONS

UNFINISHED BUSINESS

AUTHORIZE CHANGE ORDER FOR BROADWAY AVENUE STREETSCAPE AND INFRASTRUCTURE IMPROVEMENT PROJECT

City Manager Adams stated that due to the Broadway Avenue Reconstruction project bids coming in higher than budgeted, the City Council requested options to reduce the overall project cost that would not materially change the project. City staff and Bolton & Menk engineers have met with BCM Construction to identify possible alternatives that would reduce the cost of the project. The options identified are detailed in the letter provided by Bolton & Menk.

Brief summary presented by City Manager Adams as follows:

- City awarded contract on April 22, 2013
- Change Order reduction will be approximately \$232,000 to include the following:
 - Reduce mobilization costs
 - Modify method for crosswalk installation
 - Change electrical conduit
 - Reduce interior water service connection
 - Reduce interior fire service connection
 - Substitute regular stop sign posts
 - Eliminate tree guards
 - Reduce number of benches to be installed
 - Eliminate extra benches
 - Eliminate extra litter receptacles
 - Eliminate one kiosk
 - City staff salvage and re-install existing items in park
 - Reduce Contractor's unit prices for cast-in-place steps, walls, seat walls in Fountain Lake Park
 - Change electrical conduit
 - Eliminate sanitary sewer and water services for future restrooms
 - Add four storm water tree filter boxes

Staff is working on a donation program where citizens can donate items that are being included in the project at this time.

Total reduction from the original bid is approximately \$318,000.00 and staff recommends approval of Change Order #1.

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

NEW BUSINESS

PUBLIC HEARING AND RESOLUTION 13-77 ORDERING IMPROVEMENT AND PREPARATION OF PLANS FOR WEST 9TH STREET (Job 1126)

City Manager Adams stated that a public hearing is being held for public input on the proposed improvement. The proposed project consists of the bituminous reclamation and overlay of 9th Street from TH-69 to 4th Avenue and a mill and overlay from 4th Avenue to South Broadway. As per the City's assessment policy, there are 24 properties to be assessed as part of this project. A neighborhood meeting was held on April 23, 2013 to discuss the project with affected residents. Staff recommends approval.

City Manager Adams reviewed the project background as follows:

- This project has been placed in the Capital Improvement Plan for a number of years and the City is now able to get to this project in 2013.
- February 27, 2013, the City Council accepted the feasibility report for the project, warranting the need for this project.
- April 8, 2013, the City Council established a public improvement hearing and letters were mailed.
- Neighborhood Meeting was held on April 23, 2013.
- City of Albert Lea has negotiated a Joint Powers Agreement with the Township outlining the terms for cost sharing of the improvement and future maintenance.
- Abutting property is about 63% city parcels and 37% township parcels.
- 9th Avenue from TH 69 to 4th Avenue is in very poor condition.
- 9th Avenue to South Broadway is in better condition but is a better candidate for mill and overlay; does not meet the warrants of a complete reclamation or re-construction.
- In 1960 the road was paved, in 1990 the city paid for 50% of the overlay between 4th Avenue and South Broadway.
- What is being proposed between 4th Avenue and South Broadway, rehab vs. reconstruction and will be milling bituminous surface of 3 inches of existing bituminous, 2 lifts of overlay, new bituminous, 4 inches of new bituminous, top dress for the aggregate shoulders and miscellaneous work near the Township Hall Parking Lot.
- Estimated costs are \$731,000, City share is \$461,000; Township share is \$270,000. City could assess up to \$294,000 and the city cost would then be \$160,000. City is looking at some options regarding assessments.
- This is not the assessment hearing, that hearing will be held in the fall after the project has been completed.
- The city is ordering the project and it needs a super majority vote (4/5).
- Future schedule for the project includes:
 - May 28, 2013 - Approve Plans and Specs and authorize advertising for bids.
 - June 18, 2013 – Bids will be opened.
 - June 24, 2013 – Award the contract at the Council Meeting.
 - July 20, 2013 – Earliest start date for this project.
 - September 15, 2013- Targeted completion date.

Mayor Rasmussen Jr. opened the public hearing.

Larry Beener, 1116 West 9th Street, stated that he never received a letter on the neighborhood meeting on this project. He commented that the decision that was made that allowed the Grain Operation to build where it knows that West 9th was not suitable for heavy truck traffic was absolutely totally irresponsible. Now, every property owner on West 9th Street is being asked to pay the penalty. Prior to that traffic, West 9th was perfect. There is constant parade of large grain trucks. All of the property owners are being penalized.

Russ Furland, 1425 Penn Avenue, stated that he moved into this property 1973, road was in excellent shape. Since the Grain Operation moved in about five-six years ago, get all of the traffic from the SE side on this road. The traffic is so heavy that it shakes the house. More thought should be given to who is paying for this road. Mr. Furland stated that there are a lot of seniors that live on this road.

Jim Veldman, 1428 Penn, stated that he has lived in this area for 24 years and the road was in good condition until the businesses were allowed to build in this area. Mr. Veldman inquired as to the amount of assessment to the elevator.

Mayor Rasmussen Jr. called three times for public comment and then closed the Public Hearing.

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

(See Secretary's Original Resolution 13-77
included with these minutes)

RESOLUTION 13-78 ACCEPTING BID AND AWARDING CONTRACT FOR 2013 NEIGHBORHOOD STATE AID OVERLAY IMPROVEMENT PROJECT (JOB 1350)

City Manager Adams stated that the City of Albert Lea received and reviewed bids opened Tuesday, May 7, 2013 for the 2013 Bituminous Contract No. 1350. The project involves the bituminous mill and overlay and curb and gutter replacement in the Shoreland Heights area and the east-central area of town. The City received bids from Sorensen Brothers, Inc. and Ulland Brothers, Inc. Upon review of the bids, it was found that the mobilization item in the Sorensen Brothers bid was omitted in error. In discussions with Sorensen's, the number should have been \$64,825 which matches their totals and makes the bid higher than Ulland Brothers, Inc. Due to this irregularity, the bid from Sorensen Brothers., Inc. was rejected. The City Engineer recommends the low bid of \$944,299.91 as submitted by Ulland Brothers, Inc. of Albert Lea, Minnesota. The bid abstract is attached. The Engineer's estimate was \$1,033,738.50.

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

and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the motion passed. Councilor Schulte V and Marin were absent.

(See Secretary's Original Resolution 13-78
included with these minutes.)

RESOLUTION 13-79 ACCEPTING BID AND AWARDING CONTRACT FOR 2013 STATE AID NEIGHBORHOOD IMPROVEMENT PROJECT (JOB 1351)

City Manager Adams stated that the City of Albert Lea received and reviewed bids opened Tuesday, May 7, 2013 for the 2013 Bituminous Contract No. 2. The project involves the bituminous mill and overlay, curb and gutter replacement and sidewalk installation on 4th Avenue from West 9th Street to Front Street. Bids were received from Sorensen Brothers, Inc. and Ulland Brothers, Inc. The bid from Sorensen Brothers, Inc. was read as \$364,945.36. However after review, there were two errors in the proposal which resulted in an actual bid of \$364,883.36 (a difference of \$62). This did not affect the lowest responsible bid. The City Engineer recommends the low bid of \$346,153.71 as submitted by Ulland Brothers, Inc. of Albert Lea, Minnesota. The bid abstract is attached. The Engineer's estimate was \$364,666.75. Staff recommends approval.

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

(See Secretary's Original Resolution 13-79
included with these minutes.)

RESOLUTION 13-80 ACCEPTING BID AND AWARDING CONTRACT FOR 2013 BITUMINOUS MATERIALS

The City Engineer reviewed the quotation opened Tuesday, May 7, 2013 for the 2013 Bituminous Materials Bids. Three bids were received and the City Engineer recommends the low bid from Flint Hills Resources, LP. The tabulation of bids is as follows:

Flint Hills Resources, LP

CRS-2P \$520.49 per ton delivered w/o tax

CRS-2 \$430.49 per ton delivered w/o tax

MEIGS

CRS-2P \$554.92 per ton delivered w/o tax

CRS-2 \$471.62 per ton delivered w/o tax

Jebro Inc.

CRS-2P \$592.00 per ton delivered w/o tax

CRS-2 \$492.00 per ton delivered w/o tax

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

(See Secretary's Original Resolution 13-80
included with these minutes.)

MAYOR & CITY COUNCIL REPORTS

First Ward, Councilor Schulte V. was absent

Second Ward, Councilor Baker reported:

- Ward Items – Mr. Baker inquired about the closure of Bancroft Park, the 4-way stop signs at Washington and Clark Street, and also asked if there were additional parts for the lights that the city is selling.
- Committee Updates – Attend the Stables Task Force meeting with Freeborn County and Watershed Board and noted there is not enough support to move forward at this time.
- Planning Commission updates.

Third Ward, Councilor Marin was absent.

Fourth Ward, Councilor Olson reported:

- Ward Items – Mr. Olson thanked the engineering staff for looking at a railroad track.
- Committee Updates – None
- Asked everyone to watch for children on bikes.

Fifth Ward, Councilor Anderson reported:

- Ward Items – Mr. Anderson thanked city staff and the DNR for getting the boat docks in the lakes.
- Committee Updates - None
- Encouraged the public to be safe on the lakes.
- Signage for "Local traffic only" on Bridge Avenue adjoining Fountain.

Sixth Ward, Councilor Brooks reported:

- Ward Items – 4-way stop signage on Clark and Washington.
- Difficult to explain the assessment process.
- Questions regarding the Township percentage on assessments.
- Committee Updates- None

Mayor Rasmussen Jr. reported:

- Openings on the Charter Commission – Mayor Rasmussen noted that applications are available on the City website or by contacting City Hall.
- Blandin Community Leadership Program – Retreat Dates: September 23-27, 2013, Workshop Dates: December 10-11, 2013 and February 18, 2014

CITY MANAGER'S REPORT

City Manager Adams had the following announcements:

- City Manager Adams introduced Sack Thongvanh, the new Assistant City Manager. Mr. Thongvanh thanked City Manager Adams for allowing him to be a part of this great community. He stated that he was impressed with the professionalism of city staff and also thanked the Police Department for the opportunity to be part of the Police Academy Graduation Ceremony.
- Mr. Adams reminded residents of the Open Streets Event on June 1, from 10:00 a.m. to 12:00 p.m., on Bridge Avenue, from the Fountain St. intersection and north to Ruble Street.

RESOLUTION 13-81 APPROVAL OF CLAIMS

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 #48936 through #49091 in the amount of \$451,534.08; seconded by Councilor Olson. On roll call vote, the following councilors voted in favor of said motion: Councilors Baker, Olson, Anderson, Brooks, and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the motion passed. Councilor Schulte V and Marin were absent.

(See Secretary's Original Resolution 13-81
included with these minutes.)

ADJOURNMENT

Councilor Brooks moved and Councilor Baker seconded that there being no further business, the council meeting be adjourned at 7:45 p.m., until the next regular meeting of the Albert Lea City Council at 7:00 PM on Tuesday, May 28, 2013. 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

Secretary to the Council