

**REGULAR COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA
Monday, June 9, 2014, 7:00 P.M.**

PRESENT: Mayor Rasmussen Jr., Councilors Schulte V., Baker, Marin, Olson, Anderson and Brooks. Also present was City Manager Chad Adams, City Engineer Steven Jahnke, City Attorney Lee Bjorndal, and Secretary Pro Tem Wendy Flugum. A representative from the Albert Lea Tribune was also present.

CEREMONIAL ITEMS

RECOGNITION OF CHARTER COMMISSION MEMBERS

Mayor Rasmussen expressed his appreciation to Roger Jemmings, Jamie Kylo and Randy Kehr for their service to the Charter Commission. All three members will receive a plaque in recognition of two terms on the Commission. The Mayor encouraged community members to pick up an application at City Hall to fill these important positions on the Charter Commission.

ALBERT LEA POLICE DEPARTMENT PROMOTIONS AND AWARDS

Public Safety Director Dwaine Winkels presented lifesaving awards to Sgt. Jay Crabtree, Officer Jesus Cantu and Officer Brianna Lutz. Chief Winkels explained that on April 5, 2014, Sgt. Crabtree and Officers Cantu and Lutz responded to a medical call where a subject had lost an extensive amount of blood due to a large arterial cut. Law Enforcement personnel took measures to stop the bleeding and the victim was transported to the Medical Center. Doctors confirmed that without the Officers' assistance, the victim would have bled to death. Chief Winkels informed Council that response time and officers' training has greatly improved the success rate of "out-of hospital" incidents in the City. In another ceremony, Officer Stephen Charboneau took the oath of office and had a badge pinned as part of his promotion to Sergeant. Chief Winkels explained that the City had recently conducted testing and interviews and Stephen Charboneau was the top-scoring officer; his promotion fulfills a command and control restructuring that was initiated over two years ago to provide optimal front line supervision in the department.

Mayor Rasmussen continued the meeting by asking Council and residents to observe a moment of silence to acknowledge the passing of Mr. Paul Sparks who served as Albert Lea City Manager and Port Authority Director for a total of 27 years.

PUBLIC FORUM

Keith Eyer, 316 Garden Road, spoke to Council regarding his concerns about traffic flow and public safety in the area of the East Main/CR 46 and I-35 interchange. Mr. Eyer pointed out that this area has a major freeway and a heavily traveled local roadway; he also noted there are one-way signs at the Exit 11 off-ramp that are positioned at a semi-truck's window height which

can challenge a driver's view. Mr. Eyler explained that he has driven this stretch of road for nearly 5 ½ years and has frequently observed drivers' failing to yield the right-of-way. He shared his recommendations for improving safety and saving lives. His near-term solution is to increase the use of unmarked patrol vehicles and ticket anyone that fails to yield. Long-term recommendations included coordinating a multi-jurisdictional review to determine how best to control the levels of traffic and modify or reposition signage. Mr. Eyler asked the City to take a leadership position and initiate communication with the appropriate county, state and law enforcement government bodies and consider the recommendations. Mayor Rasmussen noted that this area has been looked at many times and will require all jurisdictions to take care of it. He thanked Mr. Eyler for bringing this matter to the Council's attention.

Susie Petersen, 1716 Bay Oaks Drive and CVB Director, provided information about local special events, including the Eddie Cochran activities on June 13-14 with a car cruise, music and window decorating contest in the downtown and also a UV Night Run and Hospice Walk on June 14th. Ms. Petersen encouraged the public to come out and enjoy the events.

CONSENT AND APPROVAL OF AGENDA

- A. Approve Minutes Of The May 27, 2014 Regular Council Meeting
- B. Approve Minutes Of The May 22, 2014 Work Session
- C. Licenses And Permits (See Attached List)
- D. Resolution Accepting Donations Presented To The City Of Albert Lea
- E. Resolution Supporting Grant Application To Southeast Service Cooperative On Behalf Of The City Of Albert Lea Wellness Committee
- F. Resolution Approving Common Interest Community (CIC) Plat For 1618 And 1620 Portland Avenue
- G. Resolution Approving Final Plat For St. Johns Addition
- H. Resolution Authorizing COPS Hiring Program Grant Application

Motion made by Councilor Baker to approve the Consent Agenda 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 14-109 - 14-113
included with these minutes.)

PETITIONS-REQUESTS-COMMUNICATIONS

PRESENTATION OF ALLIANT ENERGY REBATE CHECK

Rebecca Gisel of Alliant Energy presented a rebate check to the City of Albert Lea in the amount of \$2,077.07 for the lighting upgrade at the City Garage. The rebate will pay for 25% of the LED lighting installed and will also provide an annual reduction of over \$1,000 in electric costs to the City. Mayor Rasmussen thanked Ms. Gisel for the great partnership with Alliant Energy over the years.

UNFINISHED BUSINESS

ORDINANCE 182,4D REZONING PROPERTY LOCATED AT 1430 US HIGHWAY 69 FROM B-2 BUSINESS TO R-3 MULTIPLE FAMILY RESIDENTIAL (2ND READING)

City Manager Adams noted that the first reading of this ordinance was held on May 27, 2014. NorthCo Development submitted a request to rezone the property located on the northwest corner of US Highway 69 and West 9th Street. The property is currently zoned B-2 Business District and is the location of an existing small business. At their meeting of May 20th, the Planning Commission recommended approval of the ordinance to rezone the property. Staff also recommended approval to rezone the property to R-3 Multiple Family Residential.

Motion made by Councilor Marin, seconded by Councilor Olson. 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-
included with these minutes.)

ORDINANCE 174,4D REZONING PD PLANNED DEVELOPMENT DISTRICT FOR ST. JOHNS LUTHERAN HOME DEVELOPMENT (2ND READING)

City Manager Adams stated that the first reading of this ordinance was held on September 9, 2013. Mr. Adams explained that St. John's Lutheran Home purchased a portion of the land previously held by the Albert Lea Golf Course for the development of a Continuing Care Retirement Community called St. Johns on Fountain Lake. The applicant is requesting rezoning from R-1 Single Family Residential District to PD Planned Unit Development to allow for development of the overall plan for a plat and the construction of a continuing care retirement community. Staff recommended approval of the ordinance as written.

Motion made by Councilor Schulte, 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-
included with these minutes.)

RESOLUTION 14-114 PERMITTING PUBLICATION OF ORDINANCE SUMMARY 174,4D REZONING PD PLANNED DEVELOPMENT DISTRICT FOR ST. JOHNS LUTHERAN HOME DEVELOPMENT

City Manager Adams explained that the resolution would approve publication of a summary of the ordinance to rezone the property as requested. Publishing the summary meets the

publication guidelines, but must pass by a four-fifths vote of the council. Staff recommended approval of the resolution permitting publication of the summary.

Councilor Baker inquired if the project is on schedule. Scot Spates, St. John's Lutheran Home Administrator responded that construction needs to start by September 25, 2014 as the State of Minnesota has to approve moving beds from one location to another; the State will rescind approval if construction does not commence by September 25th. Mr. Spates also explained that the State defines construction as having all required permits and contracts in hand.

Motion made by Councilor Schulte, seconded by Councilor Anderson. 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 14-114
included with these minutes.)

NEW BUSINESS

RESOLUTION 14-115 ACCEPTING BID AND AWARDING CONTRACT FOR 2014 UTILITY DEPARTMENT WATER METER REPLACEMENT PROJECT (JOB 1463)

City Manager Adams explained that the City of Albert Lea recently sought quotations to replace 199 water meters and install 599 radio boxes on existing meters within the City water system. These meters are currently not radio read and must be read by hand. Upgrading the meters would allow for much more efficient reading of the meters in the community. Three companies were contacted for quotes, Johnson Controls, Ferguson Waterworks, and SL-Serco. The City received one proposal. Engineering has reviewed the quotation opened June 3, 2014 and is recommending the low bid of \$41,000 as submitted by Ferguson Waterworks. The engineer's estimate was \$50,000. Staff recommended approval.

Motion made by Councilor Baker, 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 14-115
included with these minutes.)

RESOLUTION 14-116 APPROVING SERVICE AGREEMENT FOR THE 2014 LAKEVIEW BOULEVARD RECONSTRUCTION PROJECT (JOB 1001)

City Manager Adams explained that the City of Albert Lea solicited proposals for engineering services for design and construction oversight for the complete reconstruction of Lakeview Boulevard from Abbott Street to Wedge Street. The proposed project would involve the

complete reconstruction of this section of Lakeview Boulevard (approximately 3,400 feet) including replacement or repair of the sanitary sewer, watermain and storm sewer. The concrete pavement, aggregate base and curb and gutter will be reconstructed. Part of the proposal also involves evaluating the roadway to determine the feasibility of eliminating parking on one side, narrowing the road and constructing a 10-foot wide shared user path instead of replacing the 5-foot wide concrete sidewalk. The total estimated construction costs for this project are \$1,700,000. In 2010, the City applied for and received Federal funding in the amount of \$1,116,000 to be used in FY 2015 through the Statewide Transportation Improvement Program (STIP). The selected consulting firm will be responsible for ensuring that the rules and regulations attached to this funding are followed. The City solicited and received proposals from six firms. After an initial evaluation and several preliminary selection reviews, three firms were selected for in person interviews. The interviews were held on June 5th and 6th. The interview committee consisted of the City Engineer, City Manager and two Council members. Staff is recommending hiring WSB & Associates based on the not to exceed design fee of \$121,104.00 and an estimated time and materials construction fee of approximately \$127,058.00. Because the project is so early in the preliminary phases this construction fee will likely be renegotiated once the design is completed. Staff is seeking authorization for the City Manager and Mayor to approve the service agreement with WSB & Associates. Staff recommended approval.

Councilor Baker pointed out that this project will not happen until next year; this is just the design phase and the public may direct any questions to City Engineer Steven Jahnke.

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

(See Secretary's Original Resolution 14-116
included with these minutes.)

RESOLUTION 14-117 ACCEPTING FEASIBILITY REPORT AND CALLING PUBLIC HEARING FOR NW SEWER AND WATER EXTENSION PROJECT – ST. JOHNS AND STABLES AREA PROJECT (JOB 9432)

City Manager Adams explained that the resolution would accept the feasibility report and call a public improvement hearing for July 14th for the Northwest Sewer and Water Extension, City Job No. 9432. The project involves the construction of a sanitary sewer lift station, water main, sanitary sewer, storm sewer, and bituminous and gravel street construction to service a proposed St. John's Lutheran Home Facility. The estimate includes the cost for design and construction oversight. This project would also lay the groundwork for infrastructure to the Stables Area north of Edgewater Park and provide future service to properties along Country Club Road. The design would accommodate future extension of the sanitary sewer and watermain north along CSAH 20 to the West Plaza Street area.

The estimated cost breakdown is as follows:

Total Project Costs:	<u>\$2,296,493.40</u>	
St. John's Lutheran Home Share	\$904,796	39.4%
West Edgewater Assessments	\$59,493.78	2.6%
City Funds	\$1,332,203.62	58%
Sanitary Sewer Portion (62% of City Costs)	\$825,966.24	
Water Portion (38% of City Costs)	\$506,237.38	
Crescent Drive Extension Funding (Developers Agreement)	\$ 50,000	

The project cost would be paid for with assessments and City Funds. The City funds will likely come from a combination of the General Fund and Sanitary Sewer and Water Enterprise Funds. City staff is also exploring the possibility of using Tax Increment Financing to fund some or the entire City portion. There is also the possibility of recouping some of the City costs using the Sanitary Sewer and Watermain Area Development fees when sewer and water is extended to the Stables area and West Plaza Street area. Staff recommended approval.

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

(See Secretary's Original Resolution 14-117
included with these minutes.)

**RESOLUTION 14-118 APPROVING EXTENSION OF THE SHELL ROCK RIVER
WATERSHED DISTRICT LOCAL OPTION SALES TAX**

City Manager Adams explained that the Minnesota State Legislature passed a law which would extend the expiration of existing Shell Rock River Watershed tax to the earlier of fifteen years after the tax was imposed or when in excess of \$15 million is raised. Council needs to approve this law for the change to become effective. The approval extends the local option sales tax from ten to fifteen years. Proceeds will be used to benefit lakes and watershed resources. Staff recommended approval.

Laura Lunde, 102 Lee Place and member of the Albert Lea Lakes Foundation, thanked everyone for coming together to address any concerns around the extension of the sales tax. She noted the importance of these discussions as they helped get the right information to the public as well as brought the matter to the State level. Ms. Lunde commented that this has been the "year of the lakes" in Albert Lea and believes it was the positive momentum from the community, staff and other supporting agencies that drove this forward.

Randy Kehr, 1712 Plainview Lane and Chamber of Commerce Director, stated that he echoed Ms. Lunde's statement about this being a community effort. He also called attention to the 82% of voters that originally put the local options sales tax in place to fund the lakes. Mr. Kehr thanked Council for their support in carrying the message to the Legislature.

Brett Behnke, Shell Rock River Watershed Administrator, also stated appreciation for the Council's support. Mr. Behnke explained that the sales tax has brought \$23 million into the community to date. Councilor Baker asked what the estimated date is for getting the dredge into the lake. Mr. Behnke noted it is still 2015, however, the regulatory agencies control the timing. Councilor Baker invited Mr. Behnke to come back to a council meeting in a few months to provide an update on the lake project.

Motion made by Councilor Baker, 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 14-118
included with these minutes.)

RESOLUTION 14-119 AMENDING CONTRACT WITH COUNCILMEMBER BROOKS FOR RENEWAL OF FIRE EXTINGUISHER MAINTENANCE AGREEMENT

City Manager Adams stated that at the meeting of May 29, 2012, Council authorized the Mayor and City Manager to enter into an agreement with Brooks Safety Equipment for fire extinguisher maintenance for a period of two years. Mr. Adams further stated that the City now wishes to exercise its first option to renew this contract with the same terms and conditions. Staff recommended approval.

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

(See Secretary's Original Resolution 14-119
included with these minutes.)

MAYOR AND CITY COUNCIL REPORTS

First Ward, Councilor Schulte V

- Ward Items – Councilor Schulte thanked City Engineer Jahnke and the Utilities Department for responding to a resident with a broken water pipe. The resident had been away and came home to 10 or 11 inches of water in the basement; a Utilities employee arrived and shut the water off. Councilor Schulte also thanked the community

for attending the visitation and funeral of his father-in-law, Paul Sparks and also expressed appreciation for the City vehicles that were driven in the funeral procession.

- Committee update – none

Second Ward, Councilor Baker

- Ward Items – Councilor Baker noted that he has received phone calls about long grass on 119 2nd Avenue and asked for an update on this item. Mr. Baker reminded the public that the first Wind Down Wednesday event is on June 25th and will bring more information regarding this event to the next council meeting.
- Committee update – none

Third Ward, Councilor Marin

- Ward Items – Councilor Marin extended his condolences to the family of former City Manager Paul Sparks. Councilor Marin noted he has received several complaints about long grass and encouraged residents to mow their grass and keep clippings out of the streets which keeps the city beautiful. Mr. Marin also received complaints about the conditions of medians on Main Street and about areas of the Sunset Street extension that have washed out and left holes. He also inquired if the City has an ordinance regarding garages or covered areas that have a build-up of garbage and asked if residents can be ordered to clean up those areas. City Engineer Jahnke noted that the referenced medians are part of a State road project planned for 2015.
- Committee update – none

4th Ward, Councilor Olson

- Ward Items – Councilor Olson reminded the public that school is out and cautioned everyone to watch for children at play and riding bikes.
- Committee updates - none

5th Ward, Councilor Anderson

- Ward Items - Councilor Anderson stated that he participated in the 'Take a Kid Fishing' event and reported that over 475 fishing poles were given to kids. Mr. Anderson thanked the Mayor and councilmembers that helped with fishing lines and tying knots, as well as expressed appreciation to the Fire Department for guiding traffic. Council Anderson also noted that the annual 'Lions Club Fly-In Pancake Breakfast' was well attended and thanked all the people that support this community.
- Committee updates - none

6th Ward, Councilor Brooks

- Ward Items – Councilor Brooks stated he is also working on nuisance and long grass complaints; Mr. Brooks asked the City Manager if there are any thoughts on hiring two firms to catch up on long grass.
- Committee updates - none

REPORT OF MAYOR

Mayor Rasmussen attended the Port Authority meeting and noted the following items:

- A public hearing was held to approve the sale of outlots in the Margaretha area for market rate housing.
- Discussed a refrigeration unit that needed replacing.
- Reviewed leases at current companies wishing to expand.
- Received updates on retention visits, noting that the Economic Development Director and Chamber Director call on three to four businesses every month to discuss needs and help with expansions.

Mayor Rasmussen also attended the ‘Take a Kid Fishing’ event and commented on the amazing group of guys that helped and how much he enjoyed seeing the excitement on the kids’ faces.

The Mayor reminded residents of the following events being held in the City over the next two weeks:

- Open Streets on June 14th
- Eddie Cochran Weekend and UV Splash Dash Run on June 14th; the UV run raises money for Halvorson School.
- Aragon Street Dance and Community Event on June 21st
- Fountain Lake Park Grand Reopening and Dedication on June 17th

REPORT OF CITY MANAGER

City Manager Adams provided the following updates:

- June 9th was the first deadline for property owners to comply with cutting long grass; the City will monitor mowing and if the contractor is unable to keep up with the number of complaints, the City can look at another option.
- Regarding the rail along South Broadway where trees have been cut, the railroad agreed to hire a company to clean it up and is expecting to have that done in the next two weeks or a month.
- Mr. Adams provided information regarding an earlier request about the cost of the micro-turbine gas skid and building; it was \$128,000 for the skid and \$223,000 for the building for a total cost of \$351,000. Mr. Adams noted that through this project, the City will see \$100,000 per year in annual savings so the payback will be less than four years.

APPROVAL OF CLAIMS

RESOLUTION 14-120 APPROVING CONTRACT WITH COUNCILMEMBER SCHULTE V

City Manager Adams explained that the resolution would direct the Mayor and City Clerk to make payment in the amount of \$2,979.10 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.

Motion made by Councilor Marin to approve payment of claims to Jones, Haugh & Smith, Inc., 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 14-120
included with these minutes.)

RESOLUTION 14-121 APPROVING 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 Anderson to approve payment of claims as presented for checks #52681 through #52817 in the amount of \$575,131.19, 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. Mayor Rasmussen declared the motion passed.

(See Secretary's Original Resolution 14-121
included with these minutes.)

ADJOURNMENT - 8:03 P.M.

Councilor Marin moved and Councilor Brooks 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, June 23, 2014. 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.

Dated this 10th day of June 2014,

Wendy Flugum
Council Secretary Pro Tem