

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

**CONSENT & APPROVAL OF AGENDA**

- A. Approve Minutes of the June 25, 2012 Regular Council Meeting
- B. Approve Minutes of the June 21, 2012 Work Session
- C. Licenses and Permits (See attached list)
- D. Approve Minutes of June 28, 2012 City County Workshop Meeting
- E. Resolution 12-134 Authorizing Equipment Shared Use Agreement Between City of Albert Lea and Freeborn County
- F. Resolution 12-135 Accepting Appraisals and Authorizing Payment of Easements for Hills Garden Area Project, Job #1118
- G. Resolution 12-136 Withdrawing Assessment on 714 Pillsbury Avenue
- H. Resolution 12-137 Accepting Donations

MOTION: I will move to approve the consent agenda as amended with the addition of:

- H. Resolution Accepting Donations

Motion made by Councilor Baker, 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.; Mayor Rasmussen Jr. declared the motion passed. Councilor Schulte V was absent.

(See Secretary's Original Resolutions 12-134 - 12-137  
included with these minutes)

**PUBLIC FORUM**

Mr. Merle Andresen, 216 5<sup>th</sup> Street East, thanked Council for repair of the street/drive-way in front of his house and would like to know when the street will be resurfaced. It is the worst street in Albert Lea. City Engineer Jahnke stated that the repair of this road will have to be discussed by the City Council and it could be included in the next 5 year Capital Improvements Plan.

Mr. John Severtson, 214 South Pearl, thanked Council and City staff for allowing the Freedom Festival Event.

Mr. Keith Porter Sr., 1634 Masee, had the following questions regarding certain claims listed on the payment of claims: Bids on trash hauling from Thompson/ Waste Management; Does the City belong to Chamber of Commerce; Employee had a \$36.00 meal expense.

**PETITIONS-REQUESTS-COMMUNICATIONS**

**UNFINISHED BUSINESS**

**ORDINANCE 150,4d AMENDING CHAPTER 74 BOARD OF APPEALS LANGUAGE (2<sup>ND</sup> READING)**

City Manager Adams explained that the City Council introduced the attached ordinance at its regular meeting of June 25, 2012. Staff recommends amending City Code Sections 74-86 and 74-87 to clarify that final variance decisions are made by the City Council. In addition, typographical errors referring to the Board of Appeals as the “Board of Zoning Appeals” will be modified. The amendments do not change the way variances are addressed in the City, but corrects language adopted (when new variance standards were adopted) in 2011. Staff supports the request.

Councilor Baker moved the adoption of the 2nd reading, seconded by Councilor Anderson. On roll call vote, the following councilors voted in favor of said motion: Councilors Baker, Kehr, Olson, Anderson, Brooks and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the 2<sup>nd</sup> reading of the ordinance passed. Councilor Schulte V was absent.

(See Secretary's Original Ordinance 150,4d  
included with these minutes)

**NEW BUSINESS****PUBLIC HEARING AND RESOLUTION 12-138 AUTHORIZING LOAN TO CHURCH OFFSET PRINTING**

City Manager Adams explained that Church Offset Printing, Inc. is requesting a loan from the City's revolving loan fund in the amount of \$111,000 for the purchase of a new printer. The total cost of the printer exceeds \$220,000. The City does not recommend lending more than 50% of equipment costs. Port Authority Director Dan Dorman is currently looking into another source of funding through a USDA ten year, zero interest program that lends up to 80%. This loan program would be run through the Winnebago County Telephone COOP which serves the city's south side, including the industrial parks. If the USDA does fund the request, the loan amount needed from the city would be approximately \$40,000. Mr. Dorman is requesting that Council approve up to \$111,000 in revolving loan funds to cover the request in the event funding is not obtained through the USDA program. The attached resolution would authorize the Mayor and City Manager to enter into a loan agreement with Church Offset Printing, Inc. in an amount up to \$111,000 for a term of five years at three percent interest. Corporate and personal guaranties and security interests in the equipment and receivables would also be required. Staff recommends approval.

Mayor Rasmussen Jr., opened the public hearing.

No public spoke to this issue.

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

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

(See Secretary's Original Resolution 12-138  
included with these minutes)

**RESOLUTION 12-139 ACCEPTING BID AND AWARDING CONTRACT FOR KATHERINE STREET RECONSTRUCTION, WEST HAWTHORNE PAVING AND BETHA LARSON LANE SPOT RECONSTRUCTION (Job #1256 & #1260)**

City Manager Adams explained that the attached resolution would accept bids for the 2012 Street, Sewer & Water Contract No. 2. The project involves the following work:

Schedule 1:

Complete reconstruction of Katherine Street from Bridge Avenue to Main Street including bituminous surface, aggregate base, curb and gutter, sanitary sewer, storm sewer, and watermain; and bituminous surface replacement on Crossroads Boulevard at the intersection of TH 65 and on Betha Larson Lane from Kram Avenue to approximately 400 ft east.

Schedule 2:

New bituminous surface installation on West Hawthorne Street and the Pioneer Park parking lot.

The project was split into two schedules so that Council could award any combination of the schedules based on the Council’s discretion. A total of two bids were submitted, and Engineering is recommending accepting the low bid of \$336,708.28 as submitted by Ulland Brothers Inc. The engineer’s estimate was \$322,019.50.

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

(See Secretary's Original Resolution 12-139  
included with these minutes)

**RESOLUTION 12-140 REJECTING BIDS FOR FREEBORN BANK AND JACOBSON BUILDING ELEVATOR REPLACEMENT PROJECT**

City Manager Adams explained that the attached resolution would reject two bids opened on June 20, 2012 for the replacement of the elevator in the Freeborn Bank and Jacobson buildings. The bids received were from The Joseph Company, Inc., Austin, MN in the amount of \$385,000 and Larson Contracting, Lake Mills, IA in the amount of \$346,245. Due to insufficient funding for the project, staff recommends rejecting all bids as submitted.

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

(See Secretary's Original Resolution 12-140  
included with these minutes)

**MAYOR & CITY COUNCIL REPORTS**

First Ward, Councilor Schulte V. was absent.

Second Ward, Councilor Baker reported:

- No Committee Updates
- Ward items – Strawberry Festival, Wind Down Wednesday

Third Ward, Councilor Kehr reported:

- No Ward Items
- No Committee Updates

Fourth Ward, Councilor Olson reported:

- No Ward Items
- No Committee updates

Fifth Ward, Councilor Anderson reported:

- Committee Updates
- Ward Items
- Be careful around the water

Sixth Ward, Councilor Brooks reported:

- Ward Items
- No Committee Updates

Mayor Rasmussen Jr. reported the following:

The following events will be held over the next two weeks (July 9 - July 22):

- **WED, JULY 18 – “Wind Down Wednesday – A Summer Market & Music Festival”** - from 11 AM to 8:00 PM, downtown Broadway Avenue. It’s a community festival with a wide variety of arts, crafts, baked goods, food vendors, and the Farmers Market.

- **FRI, JULY 20 – “Buckets on Broadway”** – A fundraiser for the Freeborn County Humane Society all day at the intersection of Broadway & Main.
- **SAT, JULY 21 – ShineFest Tractor Ride** – A tractor show hosted by ShineFest that starts at the Fairgrounds, goes by several nursing homes and churches, and back to the fairgrounds.
- **SAT, JULY 21 – Battle of the Bands** - from 11AM to 4PM at the Edgewater Park Band Shell – with bands from Rochester, Mason City, Mankato and Minneapolis; will have food vendors.
- Reported on the shared meeting with Freeborn County and ideas that were discussed - Bridge Avenue, possible trail acquisition from Albert Lea to Hayward, also from Albert Lea to Hartland, working with DNR, etc.
- Thank you to all the residents who are picking up garbage within our city.
- Thank you to everyone who was involved in the July 4, 2012 events

### **CITY MANAGER REPORT**

City Manager Adams reported on questions asked at the previous council meeting during open forum:

- Request for RV Park at the old Wastewater Treatment site, this item will be sent to Parks and Recreation and the Planning Commission for their review and recommendation.
- Long grass complaint near 200 South Broadway - the property is on the city list to be mowed and the City is in the process of notifying the owner.
- There has been a question regarding a copy of the claims be available for the public, there is always one complete council packet available to the public on the information desk at the rear of the council chamber.

### **APPROVAL OF CLAIMS**

#### **RESOLUTION 12-14 APPROVING CONTRACT WITH COUNCILMEMBER**

City Manager Adams explained that the attached resolution directs the Mayor and City Clerk to make payment on behalf of the City for a claim from Jones, Haugh & Smith, Inc. and to issue payment for filing an affidavit of official interest by the interested official, John H. Schulte, V.

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

(See Secretary's Original Resolution 12-141  
included with these minutes)

#### **RESOLUTION 12-142 APPROVING CLAIMS**

Councilor Brooks moved that the resolution be approved for payment of claims in the amount of \$1,025,308.27, seconded by Councilor Kehr. On roll call vote, the following councilors voted in favor of said motion: Councilors Baker, Kehr, Olson, Anderson, Brooks, and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the motion passed. Councilor Schulte V was absent.

(See Secretary's Original Resolution 12-142  
included with these minutes)

**ADJOURNMENT**

Councilor Anderson moved and Councilor Olson seconded that there being no further business, the council meeting be adjourned at 7:28 p.m., until the next regular meeting of the Albert Lea City Council at 7:00 p.m. on Monday, July 23, 2012. On roll call vote, all councilors voted in favor of said motion. Mayor Rasmussen Jr. declared the motion passed and the meeting adjourned.

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Mayor Vern Rasmussen, Jr.

Filed and attested July 10, 2012

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Secretary to the Council