

PRESENT: Mayor Rasmussen Jr., Councilors John Schulte V, Larry Baker, Ellen Kehr, Reid Olson, Larry Anderson and Al Brooks. Also present were City Manager Chad Adams, City Engineer Steven Jahnke and Council Secretary Pro Tem Wendy Flugum.

CONSENT AGENDA

- A. Approve Minutes of the August 13 , 2012 Regular Council Meeting
- B. Approve Minutes of the August 9, 2012 Work Session
- C. Approve Minutes of the August 16, 2012 Canvass Board Meeting
- D. Approve Minutes of the August 17, 2012 Canvass Board Meeting
- E. Licenses and Permits (See attached list)
- F. Resolution Receiving Feasibility Report and Calling a Public Hearing for September 24, 2012 for Broadway Avenue Streetscape and Infrastructure Improvements Project (Job 1007)
- G. Resolution Accepting Donations
- H. Resolution Appointing Election Judges
- I. Amend Court Data Services Subscriber Agreement
- J. Acquisition of Diesel Exhaust System
- K. Request from Shell Rock River Watershed to Remove Parking Stalls

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

Motion was introduced by Councilor Baker, 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 Resolutions 12-162 - 12-164 included with these minutes.)

PUBLIC FORUM

Mr. Jon Boley, 1912 Bridge Avenue, commented that he does not support the bump outs in the downtown as he has seen people running the stop signs and feels someone could get hurt.

Mr. Bruce Manwarren, 410 Elizabeth Avenue, said he has muskrats under his shed. He was advised to speak to Chief Winkels about the matter.

PETITIONS-REQUESTS-COMMUNICATIONS

NEW BUSINESS

A. RESOLUTION 12-165 ADOPTING MISCELLANEOUS ASSESSMENTS ROLL 0099

City Manager Adams stated that the miscellaneous assessments total \$14,314.42 and consist of delinquent water and sewer, S&S Inspection fees, mowing, frozen water meters, and snow removal. Assessments will be certified to the owner’s property taxes. Mayor Rasmussen opened the public

hearing. No one spoke to the issue. Mayor Rasmussen called three times and then closed the public hearing for Roll 0099.

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

Motion was introduced by Councilor Anderson, seconded by Councilor Schulte V. 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 Resolutions 12-165 included with these minutes.)

B. FIRE SERVICES ORGANIZATIONAL STRUCTURE AND STAFFING PRESENTATION

City Manager Adams presented recommendations for the organizational structure and staffing of the Fire and Inspection departments. Mr. Adams stated that staffing levels have been reviewed over the past few months and that budgetary and long-term Financial Management Planning has also been conducted. He also noted that Council may provide direction on the level of services and staffing at this meeting or the next. Council will set the preliminary tax levy for 2013 at the September 10th City Council meeting.

The City Manager stated that Chief Dwaine Winkels was appointed Director of Public Safety and he oversees both Police and Fire/Inspections but the departments are not merging. There will be a new Deputy Fire Chief position created; duties will include supervision of fire captains, emergency management, housing inspections and code enforcement, City Center maintenance (not cleaning) and training and development of the department.

Two staffing options were reviewed. Option 1 would restore the five-person shifts at full-time levels, with the minimum four-person crew to fire calls. The Community Survey illustrated the need for improved code enforcement, zoning, and services and fire personnel will build on these areas and move toward greater efficiency.

Option 2 would create four-person shifts at full-time levels to be implemented through attrition and elimination of the two temporary full-time positions. The City Manager noted that daytime hours are better able to achieve the minimum four-man entry for structure fires. There is more risk during night hours. Mr. Adams read the following recommendation/quote from the Almont Report that the City Fire Department should adopt "Risk a lot to save a savable life, risk a little to save savable property, risk nothing to save nothing."

If the Almont Report were followed, the budget would result in a tax levy increase in 2013 of 6 to 8% for Option 1, and a 4 to 6% increase for Option 2, if layoffs do not occur. The appointment of the Director of Public Safety saved 2% or \$92,000 for either option. Option 1 would increase the 2013 budget by 16% or \$246,000 with equipment needs and an accounting change for City Center cleaning. The Fire Interest fund would be used for new equipment. The estimated tax levy is 3% or \$140,000 and does not include the debt service of 1.65% or a County, School District or HRA levy in 2013. Option 2 estimates a

14.4% or \$200,000 budget increase with the same need for funding equipment and the change to City Center cleaning. Estimated tax levy is 2.2% or \$100,000. Personnel changes would result in savings of \$140,000 but there is an additional cost of \$100,000 for 10 part-time positions (mostly a one-time cost). Option 2 would result in additional long-term savings.

City Manager Adams compared the 2012 and 2013 city taxes for a home valued at \$100,000. An increase of 3% in 2013 impacts homes by \$1 per month, which is \$34.33/mo. or \$412/yr. That amount about doubles for a \$200,000 home and about doubles again for a \$400,000 home; it does not include other City needs. A 3% tax levy increase to a \$100,000 business amounts to \$2.92/mo. and a \$200,000 business would be \$5.83/mo. The impact to businesses is higher because of State class rates and the Market Value Credit change.

Long-term sustainability for Option 1 includes a 3% increase to the general fund tax levy, more dependence on Fire Interest funds for equipment and apparatus replacement, as well as completing the 87 recommendations in the Almont report such as adding user fees in 2014, utilizing Inspection staff for fire response, and collaborating with Freeborn County fire departments. Also, the phasing out/transition/collaboration of other City services will become a priority and positions vacant in 2012 from other departments would not be fully re-budgeted in 2013. There will be future debt service for Capital needs as well. Most of these items would need to be implemented and would be viewed as conditions if Option 1 is selected.

Almont Associates recommends that new statistics be tracked regarding the value of property saved. In 2011 there was \$750,000 in structures and contents saved. In 2012 there has been \$12,500,000 in structures and contents saved due to more commercial/industrial and structure fires to date in 2012 than all of 2011. The ability to respond quickly to extinguish a fire can prevent smoke damage to inventory/contents for local industry and commercial, which is figured in the 2012 numbers.

City Manager Adams noted that both the City and Township have fire facilities that are not adequate. He recommends potentially collaborating with other jurisdictions to meet the needs County-wide and to look at the fire pension funds for facility needs.

Mr. Adams asked that Council make a decision at this meeting or the next regarding the service levels desired and funding of those services.

Public response to the information presented:

Keith Porter Sr., 1634 Masee St. has received many calls and urges citizens to attend meetings; also stated that the Fire Department should be left as is.

Jerry Rasmusson, 2704 Campus Lane stated he is a member of the crisis response team and that Police and Fire do their job well. He has an issue with increasing taxes and stated that the market value of his house has not increased at all. He has researched the League of Minnesota Cities website and said tax rates are high compared to other southern Minnesota cities.

Bob Rowe, 510 Meadow Ln. thanked Council for their work on the Fire Department and asked why the Almont options did not include a volunteer model. The City Manager responded that Almont was not restricted in the options and looked at a number of models, including full-time duty crews in combination with volunteer capacity. The volunteer model was not recommended because of the concern over recruiting sufficient volunteer personnel, need for additional fire facilities, and desired ability to respond quickly to fires.

Lynn Berven, 1701 Southview Lane stated that the cost difference between Option 1 and Option 2 is only \$4.00 and for about a penny per day, the City can have full-time fire protection. He also commented that paid on call staff has to go to the Fire Department first so response time will not be the same. He stated that a four-person department has to deal with people out which puts firefighters at risk if they don't have the two people in/two people out at fires.

George Marin, 1311 S. 4th Avenue commented that he has been in the council's position of making decisions and these are tough economic times. He spoke in defense of not cutting the Fire Department and wants to make sure the City has a fully trained staff with the equipment they need.

Thomas Newell, 405 Channel Rd. stated that when his family relocated to Albert Lea, he started a new business and the ability to fight fires came into consideration when applying for financing. It's important to consider the Fire Department as we try to generate economic growth.

Paul Stieler, 2035 Kevin Drive stated support for Option 1 and feels there is a significant decrease to fighting fires when you go from a four-person crew to three-person crew. He would like to see Council continue to support the 15 full-time people that can make the immediate response.

Roger Hanna, 225 Paradise Rd. stated he is a retired police officer and has concerns that City boundaries are expanding but police and fire departments have cut staff.

Mayor Rasmussen closed the public portion of the Fire Services discussion and opened it for council comment:

Councilor Brooks stated there may have been a resolution previously adopted that mandates the number of firefighters per shift. This needs to be known before a decision can be made as it would have to be amended or rescinded if Council were to go with option 2.

Councilor Schulte stated that he is unable to attend the September 10th meeting and that he stands with Mr. Lynn Berven's opinion.

Councilor Kehr stated that the vast majority of residents that spoke to her are in favor of keeping a full-time Fire Department and they understand it costs money and there would be a levy increase.

Other council members expressed their appreciation to the many residents who called and provided feedback on Fire services.

Council Baker moved to table the decision until the September 10th regular meeting of the City Council. Mayor Rasmussen announced the discussion would be continued at the September 10th meeting.

C. RESOLUTION 12-166 AUTHORIZING JOINT ORDERLY ANNEXATION - WEST 9TH STREET

The City Manager explained that the resolution would authorize joint orderly annexation with the Albert Lea Township for Right of Way located on West 9th Street from 4th Avenue west. The area is approximately 2.22 acres in size. The property is being annexed in order to put the street on the City State Aid system in preparation for reconstruction in 2013. Zoning would be R-1 Single Family District.

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

Motion was introduced by Councilor Brooks, seconded by Councilor Kehr. 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 Resolutions 12-166 included with these minutes.)

D. RESOLUTION 12-167 AUTHORIZING JOINT ORDERLY ANNEXATION - HILLS GARDEN AREA

City Manager Adams explained that the resolution would authorize joint orderly annexation with the Albert Lea Township for property located in the Hills Garden area. The owners have requested City sanitary sewer for the property. The area is approximately 85.67 acres in size. The easterly portion of the annexation would be zoned R-1 Single Family District. The westerly portion is primarily commercial use and would be zoned B-2 Community Business District.

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

Motion was introduced by Councilor Kehr, seconded by Councilor Schulte V. 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 Resolutions 12-167 included with these minutes.)

E. RESOLUTION 12-168 AUTHORIZING JOINT ORDERLY ANNEXATION - 1311 CROSSROADS BLVD.

City Manager Adams explained that the resolution would authorize joint orderly annexation with the Albert Lea Township for property located at 1311 Crossroads Blvd. The owners have petitioned for annexation. The area is approximately 1.80 acres in size and would be zoned R-1 Single Family District.

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

Motion was introduced 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.

(See Secretary’s Original Resolutions 12-168 included with these minutes.)

F. RESOLUTION 12-169 AUTHORIZING JOINT ORDERLY ANNEXATION - 77893 209TH STREET

City Manager Adams explained that the resolution would authorize joint orderly annexation with the Albert Lea Township for property located at 77893 209th Street. The owners have petitioned for annexation. The area is approximately 1.53 acres in size and would be zoned B-2 Community Business District.

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

Motion was introduced by Councilor Baker, 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 Resolutions 12-169 included with these minutes.)

G. ORDINANCE 152,4D REZONING HILLS GARDEN AREA AND UPDATING ZONING MAP (1ST READING)

City Manager Adams explained that the annexation of the Hills Garden area would require amending the Zoning Map. The easterly portion of the annexation has single family homes, farm land, and open space and would be zoned R-1 Single Family District. The westerly portion is primarily commercial use and the Zoning Map would be amended to show B-2 Community Business District.

Ordinance 152,4d was introduced by Councilor Kehr, seconded by Councilor Olson. On roll call vote, the following councilors voted in favor of said Ordinance, Councilors Schulte V, Baker, Kehr, Olson, Anderson, Brooks and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the 1st reading of the Ordinance passed.

H. ORDINANCE 153,4D REZONING 77893 209TH STREET AND UPDATING ZONING MAP (1ST READING)

City Manager Adams explained that the annexation of 77893 209th Street would require amending the Zoning Map. The property is the Overhead Door Company. Property to the east is Pro-Trucking which is zoned I-2 Industrial; property to the west is farm equipment sales and is zoned B-2. The Overhead Door Company is of a business nature and not an industrial nature. The Community Development Director recommended the appropriate zoning to be B-2 Community Business District

Ordinance 153,4d was introduced by Councilor Anderson, seconded by Councilor Baker. On roll call vote, the following councilors voted in favor of said Ordinance, Councilors Schulte V, Baker, Kehr, Olson, Anderson, Brooks and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the 1st reading of the Ordinance passed.

MAYOR & CITY COUNCIL REPORTS

First Ward, Councilor Schulte V. reported:

- No ward items
- Committee Updates – none

Second Ward, Councilor Baker reported:

- Ward items – A resident expressed thanks to the Parks Department for trimming a broken tree. Councilor Baker attended the Frank Hall Park picnic and noted everyone seemed to be enjoying it. He also attended the ‘Save the Cottage’ meeting; if interested people may call Tony Trow at 373-5257.
- Committee Updates - none

Third Ward, Councilor Kehr reported:

- Ward Items – Attended pre-construction meeting for Hills Garden area - the proposed start date is September 3; residents will receive letters and may call Councilor Kehr at 377-8643 or Phil Wacholz, City Engineering Project Supervisor. Councilor Kehr was unable to attend the Yellow Ribbon committee due to a Work Session; encouraged residents to attend the Sept 11th tribute at the Moose Club; attended two of the picnics and said City staff did a great job and residents loved the picnics. She thanked all who donated to the Neighborhood Picnics - Cargill, Hy-Vee, Mrs. Gerry’s, Nelson’s Market, Korner Mart, and Walmart.
- Committee Updates -none

Fourth Ward, Councilor Olson reported:

- Ward Items – Received many calls on Fire Services; also calls about Bancroft Bay with many residents in favor of disc golf going on there.
- Committee Updates - none

Fifth Ward, Councilor Anderson reported:

- Ward Items – Thanked all people that have passion and desire to make the community a better place and appreciates the input.
- Committee Updates – None

Sixth Ward, Councilor Brooks reported:

- Ward Items – Councilor Brooks has received many phone calls on both the Fire Department and the Broadway Avenue Streetscape; he could have made a decision at the meeting regarding Fire Services but stated it’s a good idea for council to give the public more opportunity to speak.
- Committee Updates – Councilor Brooks attended the CVB meeting and took care of general and new business; upcoming events are Ryan Pie Truesdell Tournament, Autumn in the Village, and Powerboat races.

Mayor Rasmussen Jr. reported the following:

The following events will be held over the next two weeks:

- 2nd Annual Heart Fund Car Show – Eagles Club 2258 on September 8.
- Hotrod magazine cars in town on Sept 3 - they are on the way to National Convention and will stop at noon at Casa Zamora.

Ward items – Lights are out on Broadway between Fountain and Clark; Council will meet jointly with Freeborn County Board on August 30 and the public is invited. The Mayor also thanked everyone that organized the picnics and stated that staff did a great job to help enhance quality of life in Albert Lea which is part of the City's mission statement. He encouraged people to come next year and visit with local officials.

CITY MANAGER REPORT

City Manager Adams reported on the following:

- Provided an update in response to questions at prior meetings: Engineering fees for Bolton & Menk - \$177,000 set aside for bidding phase and \$128,000 for construction phase.
- Lakeview cement barrier/retaining wall – the City had agreed to stain it and the project was completed this summer.
- Virginia Place reconstruction is in the 2014 Capital Improvements Program.

APPROVAL OF CLAIMS

RESOLUTION 12-170 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 the affidavit of official interest by the interested official, John Schulte, V.

Councilor Brooks moved that the resolution be approved for payment of claims in the amount of \$835.00, seconded by Councilor Olson. 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. Council Schulte V abstained.

(See Secretary's Original Resolution 12- 170 included with these minutes.)

RESOLUTION 12-171 APPROVING CLAIMS

Councilor Brooks moved that the resolution be approved for payment of claims in the amount of \$811,545.23, 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 12-171 included with these minutes.)

ADJOURNMENT

Councilor Baker moved and Councilor Brooks seconded that there being no further business, the council meeting be adjourned at 8:25 p.m., until the next regular meeting of the Albert Lea City Council at 7:00 p.m. on Monday, September 10, 2012. 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 August 28, 2012

Secretary Pro Tem to the Council