

**REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA
Monday, September 22, 2014, 7:00 P.M.**

PRESENT: Mayor Vern Rasmussen Jr., Councilors John Schulte V, Larry Baker, George Marin, Reid Olson, Larry Anderson and Al Brooks. Also present were City Manager Chad Adams, City Engineer Steven Jahnke, City Attorney Lee Bjorndal and City Clerk Shirley Slater-Schulte.

CEREMONIAL ITEMS

ALBERT LEA POLICE DEPARTMENT – OATH OF OFFICE

Public Safety Director Winkels introduced Daniel Schmitt as the newest member of the Albert Lea Police Department. Officer Schmitt lived in Eagan and was working security at the Mall of America while taking law enforcement skills training at Hennepin Tech in Brooklyn Park. Dan has eight years of active duty as an Army Flight Medic and several more with the MN National Guard. He served two tours in the Middle East during that time. He received his Criminal Justice degree from Inver Hills. Dan will fill the vacancy recently created when Corporal Matson retired.

The Oath of Office was given to Officer Daniel Schmitt by City Clerk Slater-Schulte.

PUBLIC FORUM

Mr. Marv Schulz, 305 Bancroft Drive, stated the following concerns:

- Business signs in residential neighborhoods on city boulevards
- Cement was poured against wood without flashing, debris on West College, cars, etc.;; items discussed with Inspection over a year ago
- Need resolution on issues that were brought to the attention of the City Manager

Mr. Randy Kehr, 1712 Plainview Lane, reported the following:

- Quarterback Club inquired if the Chamber and CVB could help with a window decorating contest which is called “Bring Back Homecoming”
- Quarterback Club has purchased a traveling trophy to be passed to a different winner every year
- Captain of the football team will judge the 25 businesses that have agreed to decorate their windows. There will be a first and second place given for this event.
- Homecoming Parade is scheduled for Thursday from the North Parking lot to William Street
- Encouraged everyone to participate in this event

CONSENT AND APPROVAL OF AGENDA

- A. Approve Minutes Of The September 8, 2014 Regular Council Meeting
- B. Approve Minutes Of The September 4, 2014 Special Council Meeting

- C. Licenses And Permits (See Attached List)
- D. Resolution 14-193 Accepting Grant Award For Taste Of Heritage Festival
- E. Resolution 14-194 Supporting Grant Application To The Southern Minnesota Initiative Foundation For Funding Of The Albert Lea Entrepreneurial Advancement Program (ALEAP)
- F. Resolution 14-195 Authorizing Agreement With Albert Lea Hockey Association
- G. Resolution 14-196 Calling A Hearing Regarding Proposed Assessment For 2014 Concrete Alley Paving Project – Job 1457
- H. Resolution 14-197 Calling A Hearing Regarding Proposed Assessment For 2014 State Aid Street Mill, Overlay, Street Reconstruction And Miscellaneous Curb Replacement Project – Job 1451
- I. Resolution 14-198 Calling A Hearing Regarding Proposed Assessment For 2014 Neighborhood Improvement Project – Job 1450
- J. Resolution 14-199 Calling A Hearing Regarding Proposed Assessment For The Delinquent Water/Sewer Accounts And Miscellaneous Delinquent Accounts Receivable
- K. Resolution 14-200 Calling A Hearing Regarding Proposed Assessment For The Parking Maintenance District
- L. Resolution 14-201 Appointing Election Judges For November 4, 2014 General Election
- M. Approve Closure Of Fountain Street From Noon To 4:00 P.M. On October 11, 2014 For Fire Department Open House

Motion to approve the consent agenda as presented made by Councilor Baker, 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 Resolutions 14-193-201
included with these minutes.)

PETITIONS, REQUESTS, AND COMMUNICATIONS

RESOLUTION 14-202 SUPPORTING BLUE ZONES PROJECT

Ellen Kehr, 1712 Plainview Lane, presented an outline of the process and actions that have been taken and some that need to be taken by the City to achieve Blue Zones Certification. The resolution before Council is a non-binding document of support for the Project and the work that the Community Policy Committee will be doing over the next 10 months to help Albert Lea become a Blue Zones Certified Community under the Healthways model. Staff recommends approval.

Motion made by Councilor Baker, 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 14-202
included with these minutes.)

UNFINISHED BUSINESS

NEW BUSINESS

PUBLIC HEARING AND RESOLUTION CONSENTING TO THE ISSUANCE BY THE CITY OF HAYWARD, MINNESOTA, OF REVENUE BONDS ON BEHALF OF ST. JOHN'S LUTHERAN HOME OF ALBERT LEA - TABLED

PUBLIC HEARING AND RESOLUTION ADOPTING A MODIFICATION TO THE DEVELOPMENT PROGRAM FOR DEVELOPMENT DISTRICT NO, 5: AND ESTABLISHING TAX INCREMENT FINANCING DISTRICT NO.5-24 THEREIN AND ADOPTING A TAX INCREMENT FINANCING PLAN THEREFORE - TABLED

Motion made by Councilor Olson to table both of these items as requested by St. John's, 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.

PUBLIC HEARING AND RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS FOR 2015 STATE PROJECT 2404-41 PAVEMENT RESURFACING MN HIGHWAY 65 AND TH-13 INCLUDING SIDEWALK AND STREETScape ELEMENTS (JOB 1464) – TABLED

Mayor Rasmussen explained that the State of Minnesota has requested that this item be tabled as they are looking at expanding this project.

Motion made by Councilor Anderson to table this item, 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.

RESOLUTION 14-203 CALLING A HEARING REGARDING ADOPTING A MODIFICATION TO THE DEVELOPMENT PROGRAM FOR DEVELOPMENT DISTRICT NO, 5: AND ESTABLISHING TAX INCREMENT FINANCING DISTRICT NO. 5-22 THEREIN AND ADOPTING A TAX INCREMENT FINANCING PLAN THEREFORE

City Manager Adams explained that the attached resolution is recommended for approval to hold a public hearing on the TIF District No. 5-22, which relates to the Mrs. Gerry's proposed expansion. A TIF Agreement will be approved in conjunction with or following the public hearing on October 27th. Staff recommends approval.

Motion made by Councilor Schulte V, 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 14-203
included with these minutes.)

RESOLUTION 14-204 RESOLUTION AMENDING FEE SCHEDULE

City Manager Adams explained that the fees for Water Shut Off and Turn On are being amended for the both removal and installation of meters. Base charges will continue to incur monthly when the meter remains in the home. No adjustment is being made to the irrigation meters at this time. The attached resolution would amend the Fee Schedule as outlined in Exhibit A. City Manager explained the adjustments are to reflect basically the actual cost of the turn on/off fees. Staff recommends approval.

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

(See Secretary's Original Resolution 14-204
included with these minutes.)

RESOLUTION 14-205 AUTHORIZING ACQUISITION OF CERTAIN TAX FORFEITED PROPERTY

City Manager Adams explained that the City of Albert Lea has received notification from Freeborn County regarding tax-forfeited properties held by the State of Minnesota for non-payment of property taxes. The attached resolution would authorize and direct staff to request the County to withhold the parcels for public sale for up to six months to allow staff time to negotiate with the County regarding a purchase price for the parcels. The addresses for properties to be acquired are 717 Madison Avenue, 207 4th Street East, 1344 Broadway Avenue SE, 1329 Broadway Avenue SE, and 1427 Frank Ave. The City would require the parcels to be used for public purpose consistent with the City's Comprehensive Plan and Redevelopment Map. Staff recommends approval.

Motion made by Councilor Schulte V, 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 14-205
included with these minutes.)

MAYOR AND COUNCIL REPORTS

First Ward, Councilor Schulte V reported:

- Ward Items – Received call from a person renting Pioneer Park stating that the pavilion was left a mess and thanked her for cleaning up this area. Received a call today regarding construction material left by Keystone Drive.
- Committee update – Attended Freeborn County League of Cities Meeting, met with City Manager regarding the upcoming meeting to address management structure.

Second Ward, Councilor Baker reported:

- Ward Items – Received questions regarding the Government Channel.
- Committee Update – Attended Heritage Preservation Meeting and Freeborn County League of Cities Meeting.

Third Ward, Councilor Marin reported:

- Ward Items – Received complaints regarding the Government Channel, Bel-Aire Motel property that needs to be mowed, displeased with the contractors working in Ward 3, residents concerned about the 3% proposed levy, should try and get this to zero.
- Committee Update – none

Fourth Ward, Councilor Olson reported

- Ward Items – Referred to staff
- Committee update – Park and Recreation meeting updates, update on improvements to Edgewater Cottage, update on alley ways.

Fifth Ward, Councilor Anderson reported:

- Ward Items – Referred to staff
- Committee update - none
- Attended the boat races on Saturday, it was a great event.
- Encouraged everyone to drive careful.

Sixth Ward, Councilor Brooks reported:

- Ward Items – none
- Committee updates – Attended CVB meeting, reminded the public of the Big Island Rendezvous Event on October 4th & 5th
- Inconsistencies on letters regarding junk yards and concerns about what is being removed
- Received letter from Mr. Harold Reed on South Broadway regarding the open lot next to his property which is vacant and it needs mowing.

REPORT OF THE MAYOR

Mayor Rasmussen Jr. reported the following:

- **KIWANIS FAMILY MYSTERY BIKE RIDE** – The Albert Lea Noon Kiwanis is sponsoring a free bike ride on Sunday, September 28th starting at 1:00 PM. The bike route will be a “mystery” ride. All families and individuals are welcome. A food vendor will be on site to sell food at the end of the event.
- **BIG ISLAND RENDEZVOUS** – The annual Big Island Rendezvous opens at Bancroft Bay Park on Thursday, October 2nd and runs through Sunday, Oct 5th. The Rendezvous re-enacts Early America with music, entertainment, food and education days. The event is open to the public; there are admission fees.
- **THE BLAZING 10k RUN** – The Blazing 10k Run is being held on Saturday, Oct 4th from 9 to Noon. It is co-sponsored by Fountain Centers and the Albert Lea Family YMCA - the run is to celebrate 40 years of services, and to support programs and promote health and wellness. The run will start on the Blazing Star Trail and go out to the State Park and back.
- Domestic Violence Awareness Community Candlelight Vigil to be held on October 2nd, 2014 at the New Denmark Park from 6 to 8 p.m.
- Blessing of the Animals Event will be held at Central Park on Saturday, October 11th, 2014 beginning at 9 a.m.
- Attended the League of Freeborn County Cities Meeting

CITY MANAGER REPORT

City Manager Adams gave the following updates:

- Thanked Council for allowing him to attend the ICMA Conference which focused on City and School Collaborations, Community Ed and shared programming, as well as best product of services to the community.

APPROVAL OF CLAIMS

RESOLUTION 14-206 APPROVING CONTRACT WITH COUNCILMEMBER BROOKS

City Manager Adams explained that the attached resolution directs the Mayor and City Clerk to make payment in the amount of \$29.95 on behalf of the City for a claim from Brooks Safety Equipment and to issue payment for filing the affidavit of official interest by the interested official, Councilmember Al D. Brooks.

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

(See Secretary's Original Resolution 14-206
included with these minutes.)

RESOLUTION 14- 207 APPROVING CLAIMS

City Manager Adams explained 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 #53686 through #53845 in the amount of \$2,551,877.85, 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 14-207
included with these minutes.)

ADJOURNMENT 7:50 P.M.

Motion made by Councilor Baker, seconded by Councilor Marin that there being no further business, the Council meeting adjourn until the next regular meeting of the Albert Lea City Council at 7:00 p.m., on Monday, October 13 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 22th day of September, 2014

Shirley Slater-Schulte, Council Secretary