

REGULAR COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA
Monday, September 23, 2013, 7:00 P.M.

PRESENT: Mayor Rasmussen Jr., Councilors John Schulte V, George Marin, Reid Olson, Larry Anderson and Al Brooks. Also present was Assistant City Manager Thongvanh, Finance Director Berg and City Clerk Slater-Schulte.

Absent: Councilor Larry Baker, City Manager Adams and City Engineer Jahnke (They are attending the Blandin Leadership Conference.)

REVIEW CONSENT AGENDA OF SEPTEMBER 9, 2013

- A. Approve Minutes Of The September 9, 2013 Regular Council Meeting
- B. Approve Minutes Of The September 5, 2013 Work Session
- C. Approve Minutes Of The August 22, 2013 Special Meeting
- D. Licenses And Permits (See Attached List)
- E. Resolution 13-177 Approving Administrative Lot Survey For Property Located At 1617 West Ninth Street
- F. Resolution 13-178 Approving Administrative Lot Survey For Property Located At 702 West Ninth Street
- G. Resolution 13-179 Designating Hours For Skate Park
- H. Approve Closure Of Fountain Street From Noon To 4:00 P.M. On October 12, 2013 For Fire Department Open House
- I. Resolution 13-180 Approving Agreement With Zenk, Read, Trygstad & Associates For Design And Construction Oversight Of A Building To Hold The Wastewater Treatment Plant Microturbine Gas Skid
- J. Resolution 13-181 Approving Supplemental Rear Door Area Grant Agreement - Scott Boyer
- K. Approve Amendment To Sick Leave Policy
- L. Approve Amendment To Family And Medical Leave Policy
- M. Resolution 13-182 Approving Plans And Specifications And Ordering Advertisement For Bids For City Utility Department SCADA System Upgrade
- N. Resolution 13-183 Calling A Hearing On Proposed Assessment For 2012 12th Street And 13th Street Improvements - Job 1020
- O. Resolution 13-184 Calling A Hearing On Proposed Assessment For Katherine Street Improvements - Job 1256
- P. Resolution 13-185 Calling A Hearing On Proposed Assessment For West Hawthorne Street Improvements - Job 1260

- Q. Resolution 13-186 Calling A Hearing On Proposed Assessment For 2012 Hills Garden Area Sanitary Sewer Improvements - Job 1118
- R. Resolution 13-187 Calling A Hearing On Proposed Assessment For Broadway Avenue Streetscape Improvements - Job 1007
- S. Resolution 13-188 Calling A Hearing On Proposed Assessment For 2013 Neighborhood Overlay Improvements - Job 1350
- T. Resolution 13-189 Calling A Hearing On Proposed Assessment For 2013 State Aid Overlay Improvements - Job 1351
- U. Resolution 13-190 Calling A Hearing On Proposed Assessment For West Ninth Street Improvements - Job 1126
- V. Resolution 13-191 Calling A Hearing On Proposed Assessment For The Delinquent Water/Sewer Accounts And Miscellaneous Delinquent Accounts Receivable
- W. Resolution 13-192 Calling A Public Hearing On Proposed Assessment For The Parking Maintenance District
- X. Resolution 13-193 Authorizing Acquisition Of Certain Tax-Forfeited Property

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

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

(See Secretary's Original Resolution 13-177 - 13-193
included with these minutes.)

PUBLIC FORUM

PETITIONS-REQUESTS-COMMUNICATIONS

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION 13-194 ACCEPTING BIDS AND AWARDING CONTRACT FOR CITY CENTER HEATING, VENTING, AND AIR CONDITIONING SYSTEM

Assistant City Manager Thongvanh explained this item is to accept the bids for the Albert Lea City Center Heating and Cooling System renovation project. The City received a total of two

bids. The bidders included Harty Mechanical, Inc. of Austin, MN and Jim & Dudes of Albert Lea, MN. The bid summary is as follows:

<u>Bidder</u>	<u>Total</u>
1. Harty Mechanical, Inc., Austin, MN	\$569,000.00
2. Jim & Dudes, Albert Lea, MN	\$848,000.00

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

(See Secretary's Original Resolution 13-194
included with these minutes)

RESOLUTION 13-195 APPROVING CONDITIONAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A FISH BARRIER STRUCTURE LOCATED IN THE F-1 FLOODPLAIN DISTRICT FOR GREEN LEA GOLF COURSE

Assistant City Manager Thongvanh explained that the Shell Rock River Watershed District has applied for a conditional use permit to construct a structure in the F-1 Floodplain District of the City. Any structure in the floodplain requires the issuance of a conditional use permit. The Planning Commission met on September 17, 2013, held a public hearing, and recommended approval of the structure subject to conditions in the attached report. Staff recommends approval.

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

(See Secretary's Original Resolution 13-195
included with these minutes)

RESOLUTION 13-196 AUTHORIZING ORDER FOR REMOVAL - 419 COMMERCIAL STREET

Assistant City Manager Thongvanh explained that the property at 419 Commercial Street was placarded as unfit for human habitation on December 14, 2006. A follow-up inspection was

done on May 2, 2013. The foundation is defective, siding is missing, roofing is missing, windows and trim are rotting, and the east wall is nearly collapsed. The property has no utilities to the building. A letter was sent to the owner on May 6, 2013, and on September 6, 2013 a “final notice” sent. Staff recommends removal.

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

(See Secretary's Original Resolution 13-196
included with these minutes)

Mr. Bruce Manwarren, 410 Elizabeth, had questions regarding drainage pipes on this property.

RESOLUTION 13-197 AUTHORIZING ORDER FOR REMOVAL - 409 EUCLID AVENUE

Assistant City Manager Thongvanh stated that on July 13, 2005, the above property was placarded as unfit for human habitation. Letters were sent to the owner. The property was placarded again on April 27, 2010. Captain Roche followed up on the property regularly through June 2013. After sending a letter to the owner on May 30, 2013, Roche received a call from the owner indicating the property was foreclosed on. A Sheriff's Sale was held on April 25, 2013, and Merchants Bank of Winona indicated it would be Fannie Mae's property by April 25, 2014. Fannie Mae has been contacted through a local realtor, and the foreclosing bank, Merchants Bank (of Winona) has also been notified of the hearing. Staff recommends removal of the structure because the sides of the house are bowed, stucco is falling off, the roof is falling in spots, some windows are rotting and the interior is full of junk. Staff recommends approval.

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

(See Secretary's Original Resolution 13-197
included with these minutes)

RESOLUTION 13-198 AUTHORIZING ORDER FOR REMOVAL - 705 MADISON AVENUE

Assistant City Manager Thongvanh explained that on November 6, 2008, the house at 705 Madison Avenue was placarded as unfit for human habitation. The property is unoccupied.

Problems include: foundation crumbling, landings and steps are unsafe, siding is missing, windows and trim are damaged, and the garage is rotting. The house was re-inspected on June 14, 2013 and the conditions are getting worse. The owner has been notified of the hearing and sent letters November 6, 2008, August 11, 2011, May 10, 2013 and September 6, 2013. Staff recommends the house and garage be removed.

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

(See Secretary's Original Resolution 13-198
included with these minutes.)

RESOLUTION 13-199 AUTHORIZING ORDER FOR REMOVAL - 218 7TH STREET EAST

Assistant City Manager Thongvanh explained that on May 2, 2002, the house at 218 7th Street East was placarded as unfit for human occupancy. It was inspected again on May 6, 2013, and remains unfit for occupancy. Among the problems are damaged foundation, siding, roofing, soffit and fascia, rotting windows and debris on the property. The owner has consented to having the property removed and costs assessed to the property, having signed a consent form. The actual removal of the structure still depends upon City Council approval and Court approval. Staff recommends approval.

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

(See Secretary's Original Resolution 13-199
included with these minutes)

MAYOR & CITY COUNCIL REPORTS

First Ward, Councilor Schulte V. reported:

- Ward Items- Reported progress on the neighborhood projects
- Committee updates- attended the Library Meeting and the Freeborn County League of Cities meeting.

Second Ward, Councilor Baker was not present.

Third Ward, Councilor Marin reported:

- Committee updates-None
- Ward Items- Complaints about the city no longer planting trees on the boulevards but trees are being planted in the parks, concerns about raising the budget for the Park Department but cutting the Street Department budget.
- Resident lost 2 trees by city crews and requesting that they be replaced, but Park Department will only replace 1 tree. Parks Board stated that there will be no more trees. Questions regarding the city policy on this issue.
Questions regarding the request as presented by Mr. Stan Jensen for the removal of signs on Capital Lane

Fourth Ward, Councilor Olson reported:

- Ward Items-Curb and gutter issue
- Committee updates- Park Commission Meeting updates, Color Dash Event is coming to Albert Lea-Youth First, October 12, 2013

Fifth Ward, Councilor Anderson reported:

- Ward Items-None
- Committee updates- None
- Reminded everyone to watch for the elderly and children, caution when driving/walking as leaves are wet and very slippery

Sixth Ward, Councilor Brooks reported:

- Ward Items- Questions regarding the removal of signs on Margaretha
- Committee updates- Attended Port Authority meeting
- Questions regarding the moving of the Skate Park

Mayor Rasmussen Jr. reported:

- Attended the League of Freeborn County/Cities meeting
- Thank you to the Albert Lea Tigers fall activities

- Opening on the Park and Recreation Commission

APPOINTMENT TO THE PLANNING COMMISSION

Mayor Rasmussen Jr. recommended the appointment of Doug Olson, 1313 Eastgate Road to the Planning Commission.

MOTION: I will move to approve the appointment of Doug Olson to the Planning Commission

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

CITY MANAGER REPORT – City Manager Adams was absent

Assistant City Manager Thongvanh reported on the following:

- City Manager Adams, Councilor Baker and City Engineer Jahnke are attending the Blandin Leadership Conference.
- Speaking engagement with the Albert Lea Day Breakers Kiwanis and Cloverleaf Lions
- Reminder regarding 'Celebrate Albert Lea' and the Fire Department Open House on October 12, 2013

APPROVAL OF CLAIMS

RESOLUTION 13-200 APPROVING CLAIMS

Assistant City Manager Thongvanh 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 #50253 through #50405 in the amount of \$1,130,447.89; seconded by Councilor Marin. On roll call vote, the following councilors voted in favor of said motion: Councilors Schulte V, Marin, Olson, Anderson, Brooks and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the motion passed.

(See Secretary's Original Resolution 13-200
included with these minutes.)

ADJOURNMENT 7:30 P.M.

Councilor Marin moved and Councilor Olson seconded that there being no further business, the council meeting be adjourned at 7:30 p.m., until the next regular meeting of the Albert Lea City Council at 7:00 PM on Monday, October 14, 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 this 23th day of September, 2013

Secretary to the Council