

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, City Attorney Lee Bjorndal and Council Secretary Pro Tem Wendy Flugum.

CONSENT AGENDA

- A. Approve Minutes of the September 10, 2012 Regular Council Meeting
- B. Approve Minutes of the September 6, 2012 Work Session
- C. Approve Minutes of the August 30, 2012 City/County Concurrent Work Session
- D. Licenses and Permits (See attached list)
- E. Cancel December 24, 2012 Council Meeting and Reschedule December 20, 2012 Work Session as Special Meeting
- F. Resolution Authorizing MNDOT Grant Agreement for Airport Improvement Project (Job 1257)
- G. Resolution Calling a Public Hearing for October 22, 2012 on Proposed Assessments for Myers Road Reconstruction (Job 0208)
- H. Resolution Calling a Public Hearing for October 22, 2012 on Proposed Assessments for 2012 Bituminous Contract No. 2, State Aid Neighborhood Improvement Project (Job 1251)
- I. Resolution Calling a Public Hearing for October 22, 2012 on Proposed Assessments for 2012 Bituminous Contract No. 1 (Jobs 1250/1258)
- J. Amendment to Broadway Ridge Grant Fund Policy
- K. Resolution Approving Variance to Terry and Jeanette Ringoen for Accessory Building

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

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

(See Secretary's Original Resolutions 12-181-12-185
included with these minutes.)

PUBLIC FORUM

Joseph Lee, 409 Garfield Avenue, thanked Council for permission to set up Always Concessions at various events and locations this year and is looking forward to next year. Mr. Lee advised Council that he wants to be sure the city is following state law regarding food carts and wants to ensure the City makes food carts available at community events when possible and not unduly restrict their use in the city.

Randy Kehr, 1712 Plainview Lane, provided information on the upcoming Candidate Forums as follows: October 6 - Legislative Forum Breakfast at Freeborn Mower Cooperative Services,

registration required; October 10 – School Board Candidates Forum, 7:00 p.m. in the Council Chambers; October 11 – City/County Candidates in the Council Chambers at 7:00 p.m.

Susie Petersen, 1716 Bay Oaks Drive, thanked the City of Albert Lea for helping with the Powerboat Drag Races on September 16 and commented that it was a great event and drivers loved the location.

PETITIONS-REQUESTS-COMMUNICATIONS

A. REQUEST FROM ALBERT LEA YOUTH SOCCER ASSOCIATION (ALYSA)

City Manager Adams explained that the city has begun discussions with the Albert Lea Youth Soccer Association regarding their interest in fundraising and building a future youth soccer complex. Mr. Adams added that staff is seeking direction on continuing discussions with the Association and School District on identifying location and development of fields for all entities and to prepare any agreements as appropriate. Greg Wilson, ALYSA representative, presented details of their request. He noted that the program has been in existence over 25 years and is a feeder program for high school soccer. Mr. Wilson stated they would like to build additional soccer fields in the park area across from the Edgewater Pavilion and requested an agreement with the City to develop the land. They would like to begin grading yet this fall. There would be no cost to the city now but may petition the city in the future for help with a parking lot. Their plan is to complete the preliminary drawings and designs and seed the land next spring, with games starting in June 2014. The Parks & Recreation Board unanimously agreed that the association proceed with fundraising.

MOTION: I will move to direct staff to prepare an Agreement for use of the land as appropriate for the Albert Lea Youth Soccer Association.

Motion made by Councilor Olson, 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.

B. RESOLUTION 12-186 SUPPORTING ‘CHOOSE CIVILITY – THE POWER OF WORDS’ INITIATIVE

Library Director Peggy Havener explained that the Public Library has implemented this initiative to encourage civil behavior in the community. The Human Rights commission formed a steering committee to lead the campaign and is also collaborating with the Chamber and United Way to plan events that promote positivity.

MOTION: I will move to support the Choose Civility Initiative.

Motion made by Councilor Kehr, seconded by Councilor Anderson. 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 12-186
included with these minutes.)

NEW BUSINESS

A. RESOLUTION 12-187 ORDERING IMPROVEMENT AND PREPARATION OF PLANS FOR BROADWAY AVENUE STREETScape AND INFRASTRUCTURE IMPROVEMENT PROJECT (JOB 1007)

City Manager Adams explained that this resolution would order the project and preparation of plans and specs as well as establish the maximum assessments. Mr. Adams noted that Council was not approving the final design for streetscape elements.

City Engineer Steven Jahnke presented the project goals, a summary of public input, and an overview of the streetscape design. In 2010, the City hired Architect Patrick Waddick who developed a master plan. Bolton & Menk was hired for the project and Jones, Haugh & Smith is a sub-consultant. Mr. Jahnke explained that the infrastructure is deteriorating and needs to be replaced. The proposed design will be pedestrian friendly, environmentally friendly, and economically feasible for property owners. The streetscape would be constructed with durable and maintenance friendly materials.

A Streetscape Design Committee (SCD) was formed and some members visited other communities and reported on those downtown streetscapes. The City has held five design committee meetings and three public information meetings to date. There have also been individual meetings with downtown businesses and discussions at Work Sessions.

Mr. Jahnke noted that the public has generally agreed with the street and sidewalk width, prefers smaller bump-outs; and likes the idea of pedestrian plazas but does not want to lose parking. Generally positive public comments have been received on the proposed improvements to Fountain Lake Park. Concerns about the project were related to costs and assessments. The preliminary cost estimate is \$4,080,000 to be paid for with bonding funds, storm sewer funding, assessments of \$820,000, the sewer and water funds, and \$660,000 either bonded or paid out of general fund. Assessments to businesses would be capped at \$30,000 per lot with the first assessment in 2014.

Mayor Rasmussen opened the public hearing.

Kirk Foley, 402 Sheridan, owner of Prairie Wind Coffee stated he is in favor of the project and commented that continued growth is being seen in the downtown.

Tom Staker, 1402 Circle Drive and owner of Celebrations, reminded council that first and foremost the project will replace the 80 year old infrastructure and also stated he is in favor of the enhancements.

Gladys Roberts, owner of Country Tack and Western Store, 119 S. Broadway, stated she is not in favor of the project, does not think businesses are doing well, and commented that adding assessments will make the resale of buildings more difficult. She also noted that if the project does move forward, she is not in favor of the bump-outs, plazas or pavers. Ms. Roberts thanked council for listening to her.

Steve Anderson, 112 S. Broadway, thanked the Mayor, council and staff for the time spent on the project. Mr. Anderson stated he wholeheartedly supports the project and further stated that the cost of amenities would not be feasible if not done in conjunction with this project. He noted the additional savings from pavement and not replacing signals.

Miles Pechacek, 524 E. 4th Street, stated he is in favor of the project. He noted that in visiting other communities with bump-outs, it made crossing the streets much easier.

Ken Petersen, 1716 Bay Oaks Drive, thanked council for their time in researching the project and stated that it is an investment in the future of Albert Lea.

Kathy Sabinish, 20664 - 707th Avenue, stated that they own three residential properties and a business at 228 S. Broadway. She believes most people favor the street and sidewalk improvements but not the bump-outs. She also asked that Council be truthful with the community and listen and care.

Mary Ellen Johnson, 331 Willamor Circle, stated she is on the Streetscape Design Committee and has visited several communities including Waseca, New Ulm, Northfield, Faribault, Mason City and Austin to research other community's streetscapes. Ms. Johnson added that making Albert Lea a destination will bring more people in.

Nancy Rosenberg, 207 E. Richway Drive, shared a writing of William Shakespeare.

Chuck Karl, 1001 Martin Rd., stated he is in favor of the project, but noted his concern about costs charged to businesses on the northeast side as they have already helped pay the cost of streetlights.

Robert Hoffman, 709 W. Fountain St., is a local real estate broker and recently purchased a property in the downtown. The impetus in purchasing was based on the efforts of the council.

Ryan Heath, 614 Sheridan Avenue, rents and owns a business downtown and stated his full support for the project. He further stated there is an upward swing in downtown and making it more attractive will bring more people.

The Mayor closed the public hearing portion of the meeting.

Motion was introduced by Councilor Baker and 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.

The City Manager noted there will be a meeting scheduled in the next several weeks for the Council to discuss specific streetscape improvements and break down the \$660,000 bond and what the impact would be to the tax levy.

(See Secretary's Original Resolutions 12-187
included with these minutes.)

B. RESOLUTION 12-188 ACCEPTING BID AND AWARDING CONTRACT FOR AIRPORT APRON REHABILITATION AND SECURITY/WILDLIFE FENCE CONSTRUCTION (Job 1257)

City Manager Adams explained that the Apron Rehabilitation and Security/Wildlife Fence Construction projects were rebid on July 17, 2012. The bid included a concrete apron vs. a bituminous apron that had been previously bid and rejected. Mead and Hunt completed the review of the contractor's bid proposals which included three separate schedules. Schedule 1 construction involved repaving the apron and installing a storm sewer system around the hangars. This would complete the paving at the airport. Schedule 2 included the mill and overlay of the bituminous around the hangars. Schedule 3 included the completion of the second half of the security/wildlife fencing at the airport. The bidders were RoCON of Owatonna and Ulland Brothers, Inc. of Albert Lea. Ulland Brothers is the apparent low bidder with a bid of \$1,434,296.78. The engineers estimate was \$1,514,413.38.

Motion was introduced by Councilor Anderson and 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 Resolutions 12-188
included with these minutes.)

C. RESOLUTION 12-189 AUTHORIZING PURCHASE OF TAX FORFEITED PARCELS

City Manager Adams explained that the City received a list of forfeited parcels for non-payment of property taxes in June 2012. Council adopted a resolution at that time requesting to hold

certain parcels for purchase. This resolution declares the City's intent to purchase four parcels and to authorize the County to reinstate assessments on three parcels.

Motion was introduced by Councilor Anderson and 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 12-189
included with these minutes.)

MAYOR & CITY COUNCIL REPORTS

First Ward, Councilor Schulte V. reported:

- Committee Updates - none
- Ward Items – Received many calls and emails; also requested that staff handle one light pole request.

Second Ward, Councilor Baker reported:

- Committee Updates – Attended Board of Appeals meeting to approve the variance for Terry Ringoen, which was approved under the Consent Agenda.
- Ward Items – Received a call concerning concrete missing on the northwest side of Hatch Bridge; resident was concerned about repairing it before winter.

Third Ward, Councilor Kehr reported:

- Committee Updates – Attended the Senior Task Force Steering Committee meeting that included a presentation on St. John's project as well as research from the summer intern on how other cities are delivering senior services. Councilor Kehr announced that the MN Dept. of Human Rights will be in Albert Lea on September 27 to speak about amendments to the constitution that will be on the November ballot and other changes in the state's demographics.
- Ward Items – Thanked the public for calls and communications; received one letter without a return address so addressed those questions and concerns regarding neighborhood picnics, food vendors being licensed, and the former Mexico Lindo property now a green space.

Fourth Ward, Councilor Olson reported:

- Committee Updates – Attended the Parks & Recreation Advisory Board meeting and was informed that the Albert Lea Youth Soccer Association has 60 home games which brings 800 kids and parents to Albert Lea. The board also discussed mobile food

vendors, as well as how the Community Survey related to Parks and Recreation programs.

- Ward Items – Received several calls on current issues.

Fifth Ward, Councilor Anderson reported:

- Committee Updates – Attended the Airport meeting; the community can be proud of having a 5,000 ft. runway.
- Ward Items – Thanked everyone that supported the powerboat drag races and thanked local sponsors that supported the event.

Sixth Ward, Councilor Brooks reported:

- Committee Updates – Did not attend the CVB meeting.
- Ward Items – All other items have been followed up on and plans to return a call regarding a house at Frank Avenue / 8th Street.

Mayor Rasmussen Jr. reported the following:

- Mayor Rasmussen toured Mrs. Gerry's plant; the USDA secretary recognized the loan funding for Mrs. Gerry's expansion.
- Attended the powerboat drag races.
- Attended the Freeborn County League of Cities Annual Meeting and visited about ways and opportunities to work together.
- Received a call from a concerned business owner who stated there has not been much activity on the Katherine Street project and asked the City to push the project along.
- Announced the opening of the Bocce Ball courts on September 25.
- Announced the Big Island Rendezvous & Festival in October and encouraged everyone to enjoy the event.

CITY MANAGER REPORT

City Manager Adams reported the following:

- City Manager Adams encouraged community members to visit the City's updated website; it has a new look with more information and is user friendly.

RESOLUTION 12-190 APPROVING CLAIMS

Councilor Anderson moved that the resolution be approved for payment of claims as presented for checks #45968 through #46118 in the amount of \$481,196.64, 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 Resolution 12-190
included with these minutes.)

ADJOURNMENT

Councilor Baker moved and Councilor Brooks seconded that there being no further business, the council meeting be adjourned at 8:29 p.m., until the next regular meeting of the Albert Lea City Council at 7:00 p.m. on Monday, October 8, 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 September 25, 2012

Council Secretary Pro Tem