

**REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA
Monday, October 13, 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, Assistant City Manager Sack Thongvanh, City Engineer Steven Jahnke, City Attorney Lee Bjorndal and City Clerk Shirley Slater-Schulte

CEREMONIAL ITEMS

OATH OF OFFICE - DEPUTY DIRECTOR/FIRE DEPARTMENT

Public Safety Director Dwaine Winkels stated that the Albert Lea Fire Department is pleased to announce their newest team member being sworn in, Deputy Director Jeff Laskowske. Laskowske comes from Grand Forks, ND where he served as a Captain on the Grand Forks Fire Department. Grand Forks has a full-time, full service fire department similar to ours. Jeff had been with Grand Forks Fire Department for over 12 years. He was the program manager and instructor for fire science courses at the Northland Community and Technical College in East Grand Forks for the past four years. The Grand Forks fire department has already been through some of the changes that are facing Albert Lea's fire department and Jeff brings experience and a wealth of knowledge to the department. He has moved to Albert Lea with his wife, Linda, and their two children, Cody and Anna.

City Clerk Shirley Slater-Schulte administered the Oath of Office to the new Deputy Director of the Fire Department, Jeff Laskowske.

PUBLIC FORUM

Mr. Greg Moen, 1891 Paradise Road, stated his concerns regarding the encroachment agreement with Milton and Eva Haroldson which included plans and footings being approved, walls poured and then a stop order placed on the project. Mr. Moen further stated that the stop order and meetings have caused the project to be delayed for over four weeks and there is no time to waste due to weather. He noted that the homeowner is signing a Hold Harmless Agreement but feels the City should be responsible for part of this mistake.

Mr. Harold Kamrath, 326 Glenn Road, commented on the reorganization of the City, noting that the past City Manager eliminated the Assistant City Manager and this Administration removed the City Planner and Finance Director positions. Mr. Kamrath also expressed concern about televising the council meetings and availability of the Proposed 2015 City Budget document in the Library.

CONSENT AND APPROVAL OF AGENDA

- A. Approve Minutes Of The September 22, 2014 Regular Council Meeting
- B. Approve Minutes Of The September 18, 2014 Work Session
- C. Approve Minutes Of The September 25, 2014 Special Work Session

- D. Licenses And Permits (See Attached List)
- E. Resolution 14-208-Accepting Donations Presented to the City Of Albert Lea
- F. Resolution 14-209-Accepting SELCO Interlibrary Loan Dividend Donation Presented To The City Of Albert Lea
- G. Resolution 14-210-Authorizing Purchase Of Airport Hangar No. 5
- H. Resolution 14-211-Authorizing Alliant Energy Economic And Community Development Partnership Program Grant Application
- I. Resolution 14-212-Authorizing FEMA 2014 Assistance To Firefighters Grant
- J. Resolution 14-213-Authorizing FEMA 2014 Assistance To Firefighters Regional Grant Application
- K. Resolution 14-214-Supporting Minnesota Environmental Science And Economic Review Board (MESERB) Voluntary Assistance Pledge
- L. Resolution 14-215-Approving Detour Agreement with Minnesota Department of Transportation for T.H. 35 2015 Reconstruction Project

Motion: Move to approve the consent agenda with the removal of Item M to new business.

Motion made by Councilor Marin, 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.

(See Secretary's Original Resolution 14-208-215
included with these minutes.)

NEW BUSINESS

RESOLUTION 14-216 APPROVING ENCROACHMENT AND INDEMNITY AGREEMENT BETWEEN THE CITY OF ALBERT LEA AND MILTON HAROLDSON AND EVA HAROLDSON AND TIGER HILLS DEVELOPMENT, LLC AND APPROVING SEPARATE EASEMENT AGREEMENT

A twin home was erroneously built in a City storm water sewer easement. The building official placed a "stop order" on the project. The building projects into the easement and the reinforced concrete sewer pipe is placed nearly directly below the building's footings on the south side of the building. Generally, landowners are on notice of plats and restrictions on the parcels they own. This leaves two basic options, move the wall or agree to let the wall remain. Staff supports the attached encroachment and indemnity agreement. The agreement permits the encroachment to remain, but notes that the landowners assume the risk of the city causing damage to the structure wrongly built in the city right of way. In addition, the proponents of the project will provide approximately six more feet of easement space on the south side of the existing easement, so that there will be sufficient space for maintenance work to be done on the pipeline. Staff supports the new easement, the proposed encroachment and indemnity agreement and allowing construction to continue once council has approved the documents to be recorded.

City Attorney Bjorndal explained that someone has to assume the risk of the building being placed on the city right-of-way. He stated that one solution is to move the wall.

Councilor Marin stated that it was his opinion that the city was negligent and staff missed this three times; on the site plan approval, the issuance of the permit and on the site inspection. He stated that the customer/taxpayer is at a great disadvantage in this situation. Councilor Marin apologized to the Haroldson's and Mr. Moen.

Councilor Brooks stated that he agreed with Councilor Marin that the homeowner should not be held responsible and apologized to the homeowners.

MOTION: I will move to approve this agreement as presented.

Motion made by Councilor Marin, 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.

(See Secretary's Original Resolution 14-216
included with these minutes.)

PUBLIC HEARING AND RESOLUTION 14-217 CONSENTING TO THE ISSUANCE BY THE CITY OF HAYWARD, MINNESOTA, OF REVENUE BONDS ON BEHALF OF ST. JOHN'S LUTHERAN HOME OF ALBERT LEA

City Manager Adams explained that a Public Hearing is being held to receive public input regarding the issuance of Revenue Bonds by the City of Hayward to finance the cost of acquisition, construction and equipping of the new St. John's Lutheran Home senior housing campus. The aggregate face amount of the revenue bonds proposed to be issued is presently estimated not to exceed \$35,000,000. The attached resolution would formally approve the issuance of the bonds by the City of Hayward.

Mayor Rasmussen Jr. opened the Public Hearing.

Mr. Harold Kamrath, 326 Glenn Road, had questions regarding this project and what dollars will be spent on this project.

Mayor Rasmussen Jr. called three times and then closed the Public Hearing.

Motion made by Councilor Olson, 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 14-217
included with these minutes.)

RESOLUTION 14-218 ACCEPTING REVISED FEASIBILITY REPORT AND CALLING PUBLIC HEARING FOR 2015 STATE PROJECT 2404-41 PAVEMENT RESURFACING, MN HIGHWAY 65 AND TH-13 INCLUDING SIDEWALK AND STREETScape ELEMENTS (JOB 1464)

City Manager Adams explained that in August 2014, Council accepted a feasibility report for the above referenced job. The project scope, bid opening date, and proposed assessments have changed and Engineering believes a revised feasibility report is warranted. The attached resolution would accept the revised feasibility report and call a public improvement hearing for November 10, 2014 for City Job No. 1464, the 2015 State Project 2404-41 Pavement Resurfacing MN Highway 65 and TH-13 including sidewalk and streetscape elements. The estimated project cost is \$5,865,258.93.

Summary of Improvements:

- The resurfacing project consists of a bituminous pavement mill and overlay on Hwy. 65 and Hwy. 13.
- The project will also include replacement of the sidewalk and driveway approaches within the project limits.
- The project will include guardrail replacements, storm sewer and culvert repairs within the project limits.
- From Front Street to Main Street the sidewalk improvements will include brick pavers, trees and tree grates and decorative street lighting.
- Traffic Signal Replacements at Margaretha Avenue, Main and Broadway, Newton and Main
- The City of Albert Lea will prepare a plan for litter receptacles, benches and flowers along the corridor from Main Street to Front Street. MNDOT will need to approve the locations and these items will be 100% funded by the City.

Design Changes from Phase I to Phase II

Because this phase of Broadway Avenue is on MNDOT right of way, some changes were made to the design layout of the project as follows:

- No brick pavers in the crosswalks.
- Brick pavers were moved to the curb vs. walking path. This was because of concerns about the brick being bumpy for wheelchairs.
- Less flower pots, benches, and receptacles. MNDOT must approve the placement of these on the right of way and will not be participating in the costs.

ASSESSMENTS

MNDOT held two public meetings on June 26th for the public to comment on the project. This is a MNDOT project. MNDOT is responsible for the overlay portion of the project and will cost share on the sidewalk and other items. The proposed assessments for the property owners are

20% of the first six feet of width of the sidewalk and 50% for any width greater than 6 feet. There is also a parking lane which is proposed that 40% of the cost be assessed to the property owners. There have been two vaults identified under the sidewalk. Filling of these vaults is proposed to be assessed to these property owners. It is proposed that the City be responsible for the City portion of the signals, lighting, and decorative items. The average assessment is less than \$2,500 therefore it is proposed that the assessments would be paid over a 5 year period per the assessment policy. Staff recommends approval. All objections to this assessment must be presented in writing by the end of the meeting.

REVISED PROJECT SCHEDULE

- August 11, 2014 – Council orders preparation of a feasibility report
- August 25, 2014 Acceptance of Feasibility Report and calling a public hearing for September 22, 2014
- October 13, 2014 Acceptance of the Revised Feasibility Report and calling a public hearing for November 10, 2014
- November 10, 2014 Council Holds Public Improvement Hearing and authorizes design
- Early 2015 – Neighborhood Meeting (date to be determined)
- Early 2015 Authorization of MNDOT Agreement and authorizing bidding of the project
- February 2014 – MNDOT Bid project
- July 2015 – Construction Start date
- October 2015 – Complete Construction

Councilors requested that staff meet with business owners in the area of the flooding to discuss storm ponding areas, etc. Councilor Anderson formally requested that the City Engineer contact MNDOT and ask them to do a formal hydrology study in this area.

Mayor Rasmussen Jr. stated that he had met with some of the business owners in this area and they are looking for opportunities to help.

Councilor Marin stated his concerns about not correcting the flood problems.

Motion made by Councilor Schulte V, 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.

(See Secretary's Original Resolution 14-218
included with these minutes.)

PUBLIC HEARING AND RESOLUTION 14-219 ADOPTING ASSESSMENTS FOR 2014 CONCRETE ALLEY PAVING PROJECT – JOB 1457

City Manager Adams explained that a public hearing is being held to receive input on the final assessments for the 2014 Concrete Alley Paving Project. The project involves constructing a 12-foot wide concrete alley to replace the existing gravel surface in the alley between First Avenue and Second Avenue from West Main Street to William Street. The alley will be dish-shaped to carry water to the center of the alley before being carried to the streets at either end. Estimated final costs are approximately 0.3% above the preliminary estimate. As per the assessment policy, the assessments will be over ten years at 3.75% interest. Staff recommends approval. All objections to this assessment must be presented in writing by the end of the meeting.

Mayor Rasmussen Jr. opened the Public Hearing.

Mayor Rasmussen Jr. called three times and then closed the Public Hearing.

Councilor Baker stated concerns about the drainage in this area.

Paula Gray, 910 West Main, concerned about the garage and the water that runs into the neighbor's basement.

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 14-219
included with these minutes.)

PUBLIC HEARING AND RESOLUTION 14-220 ADOPTING ASSESSMENTS FOR 2014 STATE AID STREET MILL, OVERLAY, STREET RECONSTRUCTION AND MISCELLANEOUS CURB REPLACEMENT PROJECT – JOB 1451

City Manager Adams stated that a public hearing is being held to receive input on final assessments for the 2014 State Aid Street Project. The project involved the bituminous mill and overlay and miscellaneous curb and gutter replacement on the following streets:

YH Hanson Avenue – Hammer Road to Sykes Street
Hershey Street – Bridge Avenue to YH Hanson Avenue
Sykes Street – Bridge Avenue to approximately 700 feet west of YH Hanson Avenue

The bituminous pavement and aggregate base were replaced on Sykes Street from YH Hanson Avenue approximately 700 feet to the west. Riverland Community College owns the land along Hershey Street that is occupied by Snyder Fields and a disc golf course operated by the City. The City has a lease agreement to operate these facilities, and as such, Riverland feels that the City uses the road along this portion of their property and they do not benefit from it. Riverland has submitted a letter asking that these sections of roadway be removed from their assessment for this project. The letter is attached to this memo. If the assessment for Riverland is reduced as described, the assessment would be reduced from \$56,805.55 to \$31,306.01, a difference of

\$25,499.54. If the Council adopts this change, the difference would be paid for using State Aid Funds. Staff recommends the reduction. All objections to this assessment must be presented in writing by the end of the meeting.

The overall costs came in approximately 10% lower than the original estimate. The assessable portion was reduced by approximately 9% due to the bid price being lower than the preliminary estimate. As per the assessment policy, the assessments will be over ten years at 3.75% interest. Staff recommends approval.

Mayor Rasmussen Jr. opened the Public Hearing.

No one spoke to this issue.

Mayor Rasmussen Jr. called three times and then closed the Public Hearing.

Councilors Schulte V, Marin and Brooks stated their concern regarding the reduction of this assessment.

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

(See Secretary's Original Resolution 14-220
included with these minutes.)

PUBLIC HEARING AND RESOLUTION 14-221 ADOPTING ASSESSMENTS FOR 2014 NEIGHBORHOOD IMPROVEMENT PROJECT – JOB 1450

City Manager Adams stated that a public hearing is being held to receive input on final assessments for the 2014 Neighborhood Improvement Project. The project involved the bituminous overlay of residential streets in the southwest area of the City, as follows:

Canary Drive – W. 9 th Street to Swanhill Drive	Regency Lane – W. 9 th Street to Gateway Drive
Spartan Avenue – W. 9 th Street to the cul-de-sac	Penn Avenue – W. 9 th Street to Gateway Drive
Gateway Drive – TH 69 to Swanhill Drive	Southview Lane – TH 69 to 4 th Avenue
Skylark Lane – TH 69 to Southview Lane	Swanhill Drive – W. 9 th Street to Plainview Lane
Pinehill Drive – Southview Lane to Plainview Lane	Rosehill Drive – Southview Lane to Plainview Lane
Maplehill Drive – Southview Lane to Plainview Lane	Birch Hill Drive – Maplehill Drive to 4 th Avenue
Elmhill Drive – Birch Hill Drive to Plainview Lane	Plainview Lane – Skylark Lane to 4 th Avenue

The project involved milling the existing bituminous street surfacing for a 6-foot width along each concrete gutter line so the new bituminous layer will match the level of the concrete gutter. A 2-inch thick layer of bituminous was laid over the entire width of the street. The project also involved replacing sections of curb and gutter that were settled and causing drainage issues. Regency Lane was milled 2 inches deep for the full width in order to maintain its drainage as a “dish-shaped” street. The final costs came in approximately 8% higher than the original estimate. Staff is proposing that the final assessment rates match those of the preliminary

estimate. As per the assessment policy, the assessments will be over 5 years at 3.75% interest. Staff recommends approval. All objections to this assessment must be presented in writing by the end of the meeting.

Mayor Rasmussen Jr. opened the Public Hearing.

Letter was received from LaVerne and Clarice Olson; 1418, 1402, 1422 and 1424 Spartan Avenue oppose the assessment stating, “No benefit” to their property.

Mayor Rasmussen Jr. called three times and then closed the Public Hearing.

Councilor Marin stated that City staff should negotiate with LaVerne and Clarice Olson regarding their request as no benefit is shown to this property.

Motion made by Councilor Marin, 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.

(See Secretary's Original Resolution 14-221
included with these minutes.)

PUBLIC HEARING AND RESOLUTION 14-222 ADOPTING ASSESSMENTS FOR THE DELINQUENT WATER/SEWER ACCOUNTS AND MISCELLANEOUS DELINQUENT ACCOUNTS RECEIVABLE

City Manager Adams explained that a public hearing is being held to receive input on adopting the final assessments for delinquent water/sewer accounts and miscellaneous delinquent accounts receivable per the Code of Ordinances. These assessments are payable with terms of one year at 8% interest. Staff recommends approval. All objections to this assessment must be presented in writing by the end of the meeting.

Mayor Rasmussen Jr. opened the Public Hearing.

Mr. Harold Kamrath, 326 Glenn Road, inquired about the total amount of money owed for these accounts. Staff stated that the total amount owing is \$23,690.07.

Mayor Rasmussen Jr. called three times and then closed the Public Hearing.

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 14-222
included with these minutes.)

**PUBLIC HEARING AND RESOLUTION 14-223 ADOPTING ASSESSMENTS FOR THE
PARKING MAINTENANCE DISTRICT**

City Manager Adams stated that a public hearing is being held to receive input on adoption of the Parking Maintenance District assessments for costs incurred from August 1, 2013 through July 31, 2014. The assessments are for the downtown business area. Staff recommends approval. All objections to this assessment must be presented in writing by the end of the meeting.

Mayor Rasmussen Jr. opened the Public Hearing.

Mr. Adrian Hestness, 1204 Cedar Avenue, questions inquired about downtown parking assessment for his property located at 130-132 N. Broadway. He stated that in the past he received credits for five parking stalls on his property; staff to check on the credits which Mr. Hestness received in the past.

Mr. Harold Kamrath, 326 Glenn Road, protested his assessment on the square footage of lots, not buildings. He stated that parking fees should be paid out of the General Fund.

Staff stated that the total amount assessed is \$35,326.43.

Councilor Baker had a resident complaint about the condition of an alleyway.

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 Schulte V, Baker, Marin, Olson, Anderson, Brooks and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the motion passed.

(See Secretary's Original Resolution 14-223
included with these minutes.)

**ORDINANCE 184,5D AMENDING CITY CODE TO RESTRUCTURE CITY DEPARTMENTS
(1ST READING)**

City Manager Adams explained that the attached ordinance includes a proposed restructure of departments as recommended by the City Manager. A slide presentation was provided at the Council meeting. The primary changes to the restructure include the elimination of the Parks and Recreation Department and the Library Department. However, parks services will be maintained similarly, but restructured underneath Public Works. Recreation services will be maintained or enhanced through increased collaboration with Community Education, the YMCA, or other private associations. The Library Department would be restructured under the Administrative Department and again would not see any impact on services, with the exception of increased possibility and sustainability to re-open the Library with Friday hours. Staff recommended approval of the first reading of the ordinance.

Councilor Baker had questions regarding programming with YMCA and Community Education and who would oversee the softball program. City Manager Adams stated that programs will continue, but nothing is final on administration as discussions are taking place with the YMCA and Community Education.

Councilor Brooks has concerns that this may be a great plan but not a solid plan as who will be assuming these responsibilities and collaborations. The city is cutting our Park and Recreation Department and how long will it take to reorganize? Council should be part of this team but it seems like the plan is laid out by consultants that do not live in this community and by staff, no council involvement. Brooks suggested that the city have a clear cut plan, requested the ability to talk with staff regarding these proposed changes and requested that this ordinance be delayed.

Councilor Anderson stated that this be done through a respectful transition, by position not a person. Council has requested management to improve the structure for the city.

Councilor Marin thanked the City Manager for his efforts with the Reorganization Report. Mr. Marin commented that the plan should include the cost savings as the City is proposing a 3% increase. He noted that the City has eliminated jobs and then hired contractors for the same job; the emphasis has been on job creation and jobs should be within the City. Councilor Marin asked staff to review the Springsted proposal and tailor it to the City's needs. He pointed out that the citizens of Albert Lea are at the top of the Flow Chart, indicating that the City of Albert Lea is a government of the people, for the people, and by the people. Councilor Marin also stated that he has received messages from residents that are not in favor of the plan and think there are too many proposed changes within the School District and the City. Mr. Marin noted he is concerned about morale within the organization and suggested that the Parks and Recreation Director position be changed to Manager and the position be retained until retirement. Councilor Marin requested that this item be tabled. Councilor Marin requested the item be tabled.

Councilor Baker stated that the YMCA and other community groups have a vision for the Blazing Star Landing site but no definite plans at this time. Baker stated that he supports this plan, but requests more time to review it.

Councilor Olson stated that there are questions and would request more time for review.

Mayor Rasmussen has heartfelt feelings on the issue and encouraged Council to get their questions answered.

Councilor Schulte V is in favor of extending the timetable for this item.

Motion made by Councilor Schulte V, seconded by Councilor Anderson. On roll call vote, the following councilors voted in favor of said motion: Councilors Schulte V, Olson, Anderson, and

Mayor Rasmussen Jr. Councilor Baker, Marin and Brooks voted nay. Mayor Rasmussen Jr. declared the motion passed.

(See Secretary's Original Ordinance 184,5d
included with these minutes.)

**ORDINANCE 185,5D AMENDING CITY CODE TO ADD ALBERT LEA SENIOR CENTER
AS CITY BOARD (1ST READING)**

City Manager Adams explained that the Senior Center Board is an advisory board to the Senior Center. The Board should be acknowledged as part of the City structure and as an advisory board to the Senior Center. Staff supports adding language to the City Code clearly establishing the Senior Center Board and its advisory duties. Staff recommends approval of the first reading of the ordinance.

Motion made by Councilor Brooks, 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 Ordinance 185,5d
included with these minutes.)

**ORDINANCE 186,5D AMENDING CITY CODE CHAPTER 14 – LIVESTOCK
REGULATIONS (1ST READING)**

City Manager Adams stated that the current animal ordinance has references to a city sanitarian, a position that has been abolished. A team of staff members has reviewed the ordinance for necessary changes and updated language. The proposed ordinance specifies where livestock and small animals may be kept, the permitting process and general restrictions. The proposed fee for the license will be \$60 to help cover the licensing process and inspection. Staff supports the amendment to amend the City Code regarding livestock regulations.

Motion made by Councilor Brooks, 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.

(See Secretary's Original Ordinance 186,5d
included with these minutes.)

**ORDINANCE 187,5D AMENDING CITY CODE CHAPTER 14, ARTICLE II, SECTION 14-
35(C) - DOG LICENSING (1ST READING)**

City Manager Adams explained that the current ordinance states that a certificate of rabies vaccination is required as part of licensing a dog in the City. The ordinance is being amended

to add that the owner will be responsible to keep the animal vaccinated against rabies for the term of the license. Staff recommends approval to amend the ordinance.

Motion made by Councilor Baker, 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.

(See Secretary's Original Ordinance 187,5d
included with these minutes.)

ORDINANCE 188,5D AMENDING SECTIONS OF THE CITY CODE TO INCORPORATE REVISED FLOODPLAIN DISTRICTS AND REGULATIONS (1ST READING)

City Manager Adams explained that the Federal Emergency Management Agency (FEMA) has updated existing flood maps with new technology. After FEMA makes revisions, local governments must adopt the new maps if they want their communities to have flood insurance. This results in the need to amend or delete numerous sections of the City Code to bring it into compliance. This has been approved by the Planning Commission. Staff also recommends approval.

Motion made by Councilor Anderson, 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.

(See Secretary's Original Ordinance 188,5d
included with these minutes.)

MAYOR AND COUNCIL REPORTS

First Ward, Councilor Schulte V reported:

- Ward Items – Numerous e-mails and telephone calls regarding the reorganization plan.
- Committee update – Reported on levy for HRA, Housing Study has been completed.

Second Ward, Councilor Baker reported:

- Ward Items – Complaint about lights that are not working along Lakeview Blvd.
- Committee Update – none

Third Ward, Councilor Marin reported:

- Ward Items – Received complaints about garbage cans, research a garbage can curfew and alleyways.

- Implement a traffic study out by arena during the school season, requested stop sign on Meadow Lane in the Sunset area.
- Committee Update – none

Fourth Ward, Councilor Olson reported

- Ward Items – Update regarding house on Freeborn, street light on Clark and Broadway, received several telephone calls regarding incident with political signs.
- Committee update – none

Fifth Ward, Councilor Anderson reported:

- Ward Items – All items turned over to city staff.
- Committee update- none

Sixth Ward, Councilor Brooks reported:

- Ward Items – Requested that Mr. Tom Ferleman update the council on his water issue. Tom Ferleman, 2208 Eunice Drive, owner of Stevens Window and Hardware stated the following:
 - Receiving mixed messages from the City and MNDOT.
 - MNDOT has stated that this project will not cost us a dime, right up to the sidewalk.
 - Water problem should be resolved and a plan be approved to deal with the extra water which will be created by raising the road.
- Committee updates – Attended Port Authority Meeting and visited with Tim Penny.

REPORT OF THE MAYOR

Mayor Rasmussen Jr. reported the following:

- Bike for Community Cats – Humane Society to hold a 5k Bike Ride, October 18, 2014 from 10:00 a.m. to 2: 00 p.m. to raise money for stray cats.
- Two Civility Events – Tea With Friends & Family, October 18, 2014 – Freeborn Historic Museum beginning at 10:00 a.m., October 26, 2014 – Children’s Kindness Event to be held at the Children’s Library beginning at 2:00 p.m.

The Mayor reminded everyone that this was the first reading of the Ordinance Restructuring departments; this will come back to Council for a second reading. Important to get feedback from the community; encouraged Council to get their questions answered regarding this ordinance.

CITY MANAGER REPORT

City Manager Adams stated that he did not have any updates.

APPROVAL OF CLAIMS

RESOLUTION 14-224 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 Anderson to approve payment of claims as presented for checks #53846 through #54018 in the amount of \$2,533,567.09, 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 14-224
included with these minutes.)

ADJOURNMENT 9:40 P.M.

Motion made by Councilor Marin, seconded by Councilor Baker 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 27 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 13th day of October, 2014

Shirley Slater-Schulte, Council Secretary