

## REGULAR COUNCIL MEETING MINUTES

**CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA  
Monday, October 14, 2013, 7:00 P.M.**

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

Mayor Rasmussen Jr. welcomed the Youth in Government Class, in attendance, from the Albert Lea High School.

**CEREMONIAL****PRESENTATION OF LIFESAVING AWARDS**

Officer J.D. Carlson stated that on July 1<sup>st</sup>, Sgt. Jay Crabtree and Officer Todd Deming responded to a medical call where a male subject was having an asthma attack. The Officers administered CPR until paramedics arrived to assist. The patient was able to make a full recovery. This is the first ALPD Lifesaving Award for both officers.

Mayor Rasmussen Jr. presented the certificates to each of these officers and thanked the entire Police force for their hard work and dedication to the community.

**REVIEW CONSENT AGENDA OF OCTOBER 14, 2013**

- A. Approve Minutes Of The September 23, 2013 Regular Council Meeting
- B. Approve Minutes Of The September 19, 2013 Work Session
- C. Licenses And Permits (See Attached List)
- D. Resolution 13-201 Approving Agreement Between City Of Albert Lea And Freeborn County For Installation Of City Utility Department SCADA System Equipment In Freeborn County Courthouse
- E. Resolution 13-202 Approving Permanent Easement Agreement with Albert Lea Port Authority
- F. Resolution 13-203 Authorizing Declaration For State Bonds
- G. Resolution 13-204 Approving Annexation Of 2301 Stevens Street And Orderly Annexation Agreement
- H. Resolution 13-205 Approving Annexation Of 2501 Crossroads Boulevard And Orderly Annexation Agreement
- I. Resolution 13-206 Approving Annexation Of 1438 South Shore Drive And Orderly Annexation Agreement
- J. Resolution 13-207 Calling a Public Hearing for J&C Nelson, Inc. For Currency Exchange License
- K. Resolution 13-208 Approving Lawful Gambling Premises Permit For Albert Lea Hockey Association

- L. Resolution 13-209 Approving Lawful Gambling Premises Permit For Albert Lea Hockey Association
- M. Approve Request to Change Downtown No Parking Hours From 2AM to 6AM To 2AM to 7AM
- N. Approve Playground Inspection Policy
- O. Approve Trail Inspection Policy
- P. Accept MNPEA Agreement And Arbitrator Award
- Q. Reschedule November 11, 2013 City Council Meeting To November 12, 2013 At 7:00 P.M. In City Hall Council Chambers

Motion: I will move to approve the consent agenda with the removal of Item M.

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

### **PUBLIC FORUM**

Mr. Dennis Dieser, 1002 Wood Park Lane, thanked the council for allowing the students to attend this meeting, introduced the 20 students from the Youth in Government Class and stated that the students would be participating in a “mock” Council Meeting. Mayor thanked the class for attending.

Sharon Nelson, 310 Johnson Street, presented a petition to the council stating that the Fountain Lake Association would like the skate park moved to a non-residential area.

### **PETITIONS-REQUESTS-COMMUNICATIONS**

#### **REQUEST TO PROHIBIT TOBACCO PRODUCTS ON CITY ARENA PROPERTY**

Mr. Randy Kehr, 1712 Plainview Lane, thanked the council for their support of the “Celebrate Albert Lea” event. The National Vitality Center Leadership Team is requesting that the City Council support an ordinance prohibiting tobacco use at the City Arena. As a Blue Zones community, the National Vitality Center Board believes it is important to encourage healthy behaviors in the youth participating in this athletic environment. Work sites have made great strides in supporting smoke free work environments.

Alice Englin, 203 West Clark Street, Project Coordinator for Freeborn County Partners in Prevention, goal is to prevent and reduce tobacco, alcohol and other drug use by youth in our community. Ms. Englin encouraged the council to continue the healthy community spirit in Albert Lea. Mayor Rasmussen stated that the council will take this under consideration.

#### **APPROVE BROADWAY RIDGE GRANT REQUEST - STADHEIM JEWELERS**

City Manager Adams stated that the Heritage Preservation Commission met on November 5, 2012 and approved the application of Mark Stadheim for a Certificate of Appropriateness for façade improvements at 215 South Broadway Avenue. Façade size is less than 900 square

feet and thus is eligible for consideration of a Broadway Ridge Renewal Grant of up to \$25,000 in matching funds or less if the project is less than \$50,000. This project budget is less than \$50,000, or which the matching grant will be approximately \$17,000. At this time, the owners are focusing on the lower level of the building. Staff will be reviewing the final application, cost estimates, and source of matching funds and recommends that the Mayor and City Manager execute a grant agreement upon final terms and conditions being established.

MOTION: I move to approve this Broadway Ridge Grant Agreement.

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.

### **UNFINISHED BUSINESS**

#### **ORDINANCE 172,4D AMENDING DIVISION 10 IDD INTERSTATE DEVELOPMENT DISTRICT OF CHAPTER 74 AND SECTION 74-2 DEFINITIONS OF CITY CODE (2<sup>ND</sup> READING)**

City Manager Adams explained that the Council introduced the first reading of this ordinance at its regular meeting of August 12, 2013. The Planning Commission, City Council, and staff spent several months analyzing the proposed changes to the IDD district. At their Work Session of September 5th, Council directed staff to make changes to the allowable materials to include pre-fabricated metal panels, and require 100% screening of outside storage from public roads, including a provision for outdoor storage that exceeds the height of the fence. This item is the second reading of the ordinance, after those changes have been incorporated. Staff recommends approval of the final ordinance.

Councilor Baker moved to approve the 2<sup>nd</sup> reading of this ordinance, seconded by Councilor Schulte V. On roll call vote, the following councilors voted in favor of said motion: Councilors Schulte V, Baker, Marin, Olson, Anderson, and Mayor Rasmussen Jr. Councilor Brooks voted nay. Mayor Rasmussen Jr., declared the 2nd reading of this ordinance passed.

(See Secretary's Original Ordinance 172,4d  
included with these minutes)

### **NEW BUSINESS**

#### **PUBLIC HEARING AND RESOLUTION 13-210 ADOPTING FINAL ASSESSMENT FOR 2012 12TH STREET AND 13TH STREET IMPROVEMENTS - JOB 1020**

City Manager Adams explained that the attached resolution would adopt the final assessments for Job 1020. The project involved complete reconstruction of both 12<sup>th</sup> Street and 13<sup>th</sup> Street from Margaretha Avenue to the east ends. Work included removal and replacement of the curb and gutter, bituminous surface, aggregate base, watermain and storm sewer.

The final costs for the project were \$818,551.56 with the assessable portion being \$349,866.00. The final costs for all portions of the project came in lower than the original estimate due primarily to the bids coming in lower than the estimate. The assessments are being reduced proportionally (approximately 20%). As per the assessment policy, the assessments will be over 15 years at 3.59% interest. City Manager Adams noted that this will be the last opportunity to provide written objections to the proposed assessments. Staff recommends approval.

Mayor Rasmussen Jr. opened the Public Hearing and called three times for public comment. No one spoke to this issue.

Mayor Rasmussen Jr. noted that this will be the last opportunity to provide written objections to the proposed assessments.

Mayor Rasmussen Jr. closed the Public Hearing

Motion made by Councilor Brooks to adopt this resolution, 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 13-210  
included with these minutes)

#### **PUBLIC HEARING AND RESOLUTION 13-211 ADOPTING FINAL ASSESSMENT FOR KATHERINE STREET IMPROVEMENTS - JOB 1256**

City Manager Adams explained that the council would have two separate public hearings. The first public hearing will be for Job 1256 and there is a resolution attached for approval. That includes the following:

Katherine Street Reconstruction (Job 1256): This portion of the project involved the complete reconstruction of Katherine Street from E. Main Street to Bridge Avenue including replacement of the curb and gutter, bituminous surface, aggregate base, watermain, sanitary sewer and storm sewer.

Also included, Betha Larson Lane and Crossroads Boulevard Entrance (Job 1256): The bituminous surface and aggregate base were replaced on Betha Larson Lane from Kram Avenue to approximately 400 ft. east, and on Crossroads Boulevard at the intersection of TH 65. Since these roadways failed before the City's 20-year guarantee period, there are no assessments for that portion of the work.

The total assessable portion for Job 1256 is \$66,767.33 and as per the assessment policy, the assessments for Katherine Street will be over 15 years at an interest rate of 3.59% and this will be the last time to provide written objection to these assessments. City Manager Adams noted that this will be the last opportunity to provide written objections to the proposed assessments.

Mayor Rasmussen Jr. opened the Public Hearing and called three times for public comment. No one spoke to this issue.

Mayor Rasmussen Jr. noted that this will be the last opportunity to provide written objections to the proposed assessments.

Mayor Rasmussen Jr. closed the Public Hearing.

Motion made by Councilor Brooks to adopt this resolution, seconded by Councilor Olson. 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 13-211  
included with these minutes)

### **PUBLIC HEARING AND RESOLUTION 13-212 ADOPTING FINAL ASSESSMENT FOR WEST HAWTHORNE STREET IMPROVEMENTS - JOB 1260**

City Manager Adams explained that the attached resolution would adopt the final assessment for Job 1260 which includes W. Hawthorne Street and Pioneer Park Parking Lot. A new bituminous surface was installed along West Hawthorne Street and the parking lot of Pioneer Park. This surface replaced the existing gravel surface.

The total assessable portion for Job 1260 was \$17,104.50, and the assessment for West Hawthorne Street will be over 10 years. Both will be at 3.59% interest. City Manager Adams noted that this will be the last opportunity to provide written objections to the proposed assessments.

Mayor Rasmussen Jr. opened the Public Hearing and called three times for public comment. No one spoke to this issue.

Mayor Rasmussen Jr. noted that this will be the last opportunity to provide written objections to the proposed assessments.

Mayor Rasmussen Jr. closed the Public Hearing.

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

(See Secretary's Original Resolution 13-212  
included with these minutes)

**PUBLIC HEARING AND RESOLUTION ADOPTING FINAL ASSESSMENT FOR 2012 HILLS GARDEN AREA SANITARY SEWER IMPROVEMENTS - JOB 1118**

City Manager Adams explained that the attached resolution would adopt the final assessments for Job 1118. The project involved the construction of 12" Sanitary Sewer Main for the immediate service of 16 parcels in the Hill's Garden Area and the future service of 202 acres south of C.R. 46 in an area not currently developed. The final cost for the project was \$331,732.63 with the assessable portion being \$187,296.50. As per the assessment policy, the assessments will be over 15 years at 3.59% interest. City Manager Adams noted that this will be the last opportunity to provide written objections to the proposed assessments.

Mayor Rasmussen Jr. opened the Public Hearing

JoAnn Hill, 1009 Maplehill Drive, requested a deferment for their parcel, 34-165-0030. The reason stated for this deferment is that there is no existing building on this property and therefore they would not benefit from the sewer. When city water became available, they were exempt from the assessment until the time of hookup. They feel that the same exemption should apply to the city sewer. This land is strictly agricultural and they have no intention of ever constructing a building on this site as long as they own it. In 1993, land was annexed into the city and they were promised city sewer within 3 years. They had an opportunity to sell this land in 1998 but the sale did not go through because they did not have city sewer available. They were annexed into the city in 1993 and they were never officially notified of this status and the same for when they were zoned commercial.

Mr. Tony Hill, 2520 W. Main Street, inquired if the council had any questions regarding the letter that was sent to the City Engineer's office regarding their request for deferral on two parcels along Lake Chapeau Drive that are parcels in name only. They have acquired several parcels of land throughout the history of the family business, which are vacant and they have no future purpose for the land other than for the land to remain idle and empty. As stated in the letter, it is their intent to demolish the houses but they are not demolished at this time. City Manager Adams stated that the we have been talking about combining a couple of properties, removing some of the structures, dating back to last fall and now a year has passed and the combining of the lots has not occurred to reduce the assessment from two down to one and the structures have not been removed. Staff questioned as to why hasn't this been taken care of within the last year? City is up against a short timeline because assessments have to be certified to the County by the end of November to be payable in 2014.

Mr. Hill addressed his grandparent's house, which is the larger house setting back off County Road 46. Consideration has to be given to this structure as the plumbing that goes through this building goes up to the retail facility. Request was made to come to an agreement that they could tear out all of the plumbing making this structure unlivable, but leave the building and make it storage or out building. Due to their busy season, the other house next to the Garden Center has not been demolished. They do not intend to rent it out, they have disconnected water and electric to this structure. They are requesting a deferment for this assessment. It is their intent to combine PID numbers on some of the smaller properties. They are requesting one more year to complete this process.

Mr. Tony Hill stated that he appreciated the city willing to waive his personal assessment at 2520 West Main. His septic system failed in 2010 and he was forced to install a new septic system. He is requesting that the city waive his \$1,000 assessment in recognition that the city took so long to get city services out to his property.

Questions were discussed by the council. Staff was directed to work with the property owners and to place this item on the next agenda.

Mayor Rasmussen Jr. noted that this will be the last opportunity to provide written objections to the proposed assessments.

Mayor Rasmussen Jr. closed the Public Hearing.

Motion made by Councilor Marin to table this item until the October 28, 2013 meeting, seconded by Councilor Baker. 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.

### **PUBLIC HEARING AND RESOLUTION 13-213 ADOPTING FINAL ASSESSMENT FOR BROADWAY AVENUE STREETScape IMPROVEMENTS - JOB 1007**

City Manager Adams explained that the attached resolution would adopt the final assessments for Job 1007. The project is the Broadway Avenue Streetscape and Infrastructure Improvement Project which involved the reconstruction of Broadway Avenue from Main Street (TH 65) to Fountain Street. Work included a building face to building face renovation including the street, concrete sidewalk, sanitary sewer, storm sewer, watermain, lighting, landscaping and streetscape elements, as well as improvements to Fountain Lake Park at the north end of Broadway Avenue. The project also involved development of plazas at William Street and Water Street. The project includes the reconstruction of the north parking lot.

The estimated final project costs for the project was \$4,600,000.00 with the assessable portion being \$800,011.99. Per the assessment policy the assessments would be over a 15 year period at a 4.24% interest rate. City Manager Adams noted that this will be the last opportunity to provide written objections to the proposed assessments, prior to the close of the Public Hearing.

Mayor Rasmussen Jr. opened the Public Hearing

Susanne Crane, owner of the Historic Bessesen, 224 Broadway S, presented a letter (attached to the minutes) outlining issues and concerns regarding this project and proposed assessment. She is opposed to this assessment.

Roger Bakken, 1912 Broadway S., representing the American Legion, concerned about the \$30,000 assessment, had questions as to how this amount was figured on property value or street footage. Requested that the assessment be reduced to the \$20,000 and reduce the interest from 4.24% to 3.24%.

Lon Poganés, 224 Broadway S., Building Manager of the Historic Bessenen, presented a letter (attached to the minutes) outlining issues and concerns regarding this project and proposed assessment. He opposed the proposed assessment.

Kari Mason, 242 Broadway S., issues with the proposed assessment is that the work is not complete. Relief cuts in the cement are not done, 1819 tile has been chipped. Until the work is complete and the damages are assessed, she stated that it is unfair to assess them at this time. This assessment will place an unbearable burden on the already struggling businesses and owners on Broadway. Business owners have stated that they will have to sell and leave this area due to these assessments. Stated that most of these business owners are not rich people and are fixing these buildings because they love them and not for a financial gain. Mason stated that she has been operating on a loss since 2007 and this added assessment is very difficult. She is opposed to this proposed assessment.

Mayor Rasmussen Jr. noted that this will be the last opportunity to provide written objections to the proposed assessments.

Mayor Rasmussen Jr. closed the Public Hearing

Motion made by Councilor Baker to table this item until the October 28, 2013 meeting, seconded by Councilor Marin. On roll call vote, the following councilors voted in favor of said motion: Councilors: Baker and Marin. Councilors: Schulte V, Olson, Anderson, Brooks and Mayor Rasmussen voted nay. Mayor Rasmussen Jr., declared the motion failed.

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

(See Secretary's Original Resolution 13-213  
included with these minutes)

## **PUBLIC HEARING AND RESOLUTION 13-214 ADOPTING FINAL ASSESSMENT FOR 2013 STATE AID OVERLAY IMPROVEMENTS - JOB 1351**

City Manager Adams explained that the attached resolution would adopt the final assessments for Job 1351. The project involved milling the existing bituminous street surfacing on South 4<sup>th</sup> Avenue from Front Street to West 9<sup>th</sup> Street for a 6-foot width along each concrete gutter line so the new bituminous layer would match with the level of the concrete gutter. The overall final costs came in 8.8% lower than the original estimate. The assessable portion was reduced by approximately 16% due to both the bid prices coming in lower than the original estimate and approximately \$10,000 of liquidated damages applied against the contractor for missing the contract deadline of August 30, 2013. As per the assessment policy, the assessments will be over ten years at 4.24% interest. Staff recommends approval. City Manager Adams noted that this will be the last opportunity to provide written objections to the proposed assessments.

Mayor Rasmussen Jr. opened the Public Hearing

Joe Attig, 18542 750<sup>th</sup> Avenue, owner of a home at 815 4<sup>th</sup> Avenue in Albert Lea. Mr. Attig requested, at the time of the overlay, to check on the driveway elevation compared to the street. After, the overlay, there has been water running unto the property. City Inspection Department has requested that the basement be improved for there is water in the basement. There is no way to make this improvement as the water is running off of the street unto the property. Mr. Attig is opposed to this assessment.

City Engineer Jahnke stated that staff has been out to the property on two different occasions and checked on this problem.

Mr. Attig stated that there is a dip on the streets where the inlets should be level with the street.

Mayor Rasmussen Jr. noted that this will be the last opportunity to provide written objections to the proposed assessments.

Mayor Rasmussen Jr. closed the Public Hearing.

Motion made by Councilor Marin to adopt this resolution, 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 13-214  
included with these minutes)

## **PUBLIC HEARING AND RESOLUTION ADOPTING FINAL ASSESSMENT FOR WEST NINTH STREET IMPROVEMENTS - JOB 1126**

City Manager Adams explained that the attached resolution would adopt the final assessments for Job 1126. The project involves the reconstruction and mill and overlay of West Ninth Street from TH 69 to Freeborn County Road 18 (South Broadway). The project is ongoing and total costs used to determine assessments are estimated based on costs incurred to date and the contract amount bid by the contractor.

Total project costs are \$609,000. This is approximately 17% below the preliminary estimate. The assessment rate for the overlay portion was approximately 14% lower than the preliminary estimate. For the reconstruction portion the commercial rate was approximately 30% lower than the preliminary estimate and the residential rate was approximately 66% lower than the preliminary estimate.

Two property owners came to the council on September 23, 2013 to combine a couple of lots through the administrative survey process. Note that the city has received all of the paperwork but this has not technically been recorded against the property as of this date, it will likely occur within the next couple of days. Staff is recommending approval of this per the assessment policy the assessment rate is 4.24% over a 10 year period. Staff is recommending that the council hold the Public Hearing tonight and then requesting that this item be tabled until these

documents are recorded and this will be placed on the next consent agenda for approval. City Manager Adams noted that this will be the last opportunity to provide written objections to the proposed assessments.

Mayor Rasmussen Jr. opened the Public Hearing.

Delores Nasby, owner of duplex property located on Regency Lane, inquired as to when this project will be finished and when are the assessments for payment.

Aron Attig, 16116 US Highway 65, Glenville, MN, owns property on the east end of West 9<sup>th</sup> Street. At the first assessment hearing, he was told that this assessment would be deferred. The property consists of 6 tillable acres, purchased this property for hay ground and paid \$20,000. For tillable acres it is getting assessed at over \$2,000 per acre. The land has been farmed for 50-60 years and it is in a Commercial Zone, There is no way that this property can be built upon as it is in a slough area. There is no direct access to this property that comes out to West 9<sup>th</sup> Street, need to go down through the neighbor's property to access this property. Requesting to waive the assessment on this parcel and correct the zoning on this piece of property.

Jim Veldman, 1428 Penn Avenue, questions regarding the interest rate. Mayor Rasmussen Jr., explained the difference in the interest rates. Mr. Veldman had questions regarding the ownership of Town Hall Road.

Charles and Karen Wilder submitted written objections, prior to the public hearing, to their proposed assessment on the West 9<sup>th</sup> Street Project.

Mayor Rasmussen Jr. noted that this will be the last opportunity to provide written objections to the proposed assessments.

Mayor Rasmussen Jr. closed the Public Hearing

Motion made by Councilor Brooks to table this item, 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.

#### **ORDINANCE 175,4D ADDING A SECTION TO CITY CODE REGARDING OUTDOOR SEATING WITHIN BUSINESS DISTRICTS (1ST READING)**

City Manager Adams explained that the Planning Commission held a public hearing on September 17, 2013 and recommended approval of the ordinance. The purpose of the ordinance is to allow outdoor seating in the right-of-way or public easements for business establishments in business districts. It will also establish a process for application and standards for approval of outdoor seating. An administrative permit would be required to be issued, and all liquor license requirements would need to be followed. Staff recommends approval of the ordinance amendments.

Councilor Baker moved to approve (1<sup>st</sup>) reading of this ordinance, seconded by Councilor Olson. 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 1st reading of this ordinance passed.

(See Secretary's Original Ordinance 175,4d  
included with these minutes)

### **MAYOR & CITY COUNCIL REPORTS**

First Ward, Councilor Schulte V. reported:

- Ward Items- Received calls about moving the skate park, and about noise in parking lot.
- Committee updates- Attended HRA meeting

Second Ward, Councilor Baker reported:

- Ward Items- none
- Committee updates- Planning Commission meeting, thanked everyone involved in the Celebrate Albert Lea event, thanked businesses, individuals, residents, etc. that participated in the donations for the planting of the planters.
- Thanked everyone who supported sending him to the Blandin Leadership Conference.

Third Ward, Councilor Marin reported:

- Ward Items- none
- Committee updates- Request made to City Manager Adams for the paperwork to file for hardship for two residents on 4<sup>th</sup> Avenue.
- Requested an update on Sunset – City Engineer Jahnke stated that  $\frac{3}{4}$  of the road has been graded, hauling gravel in the next week, ready in the next 2 weeks.
- Thanked residents who wrote letter for the meetings this evening.
- Thank you to everyone who helped with celebrations.
- Water Tower Parking Lot should be closed after business hours.
- Sincere “Thank you” to city crews and staff for all of their hard work and they are very much appreciated.

Fourth Ward, Councilor Olson reported:

- Ward Items-calls on burning leaves, several calls and letters regarding the skate park, call regarding the nice area in the downtown area and if the benches will be turned around, call regarding water rates for people that go south during winter months.
- Committee updates-none

Fifth Ward, Councilor Anderson reported:

- Ward Items- lots of calls on the skate park, noise under the water tower, loitering signs, Attended the Color Dash – huge success, attended the Fire Department Open House, Airport Meeting. Be Safe on the leaves
- Committee updates- None

Sixth Ward, Councilor reported:

- Ward Items- Invitation from Senator Sparks, bike trails, Edgewater Park bonding process, etc.
- Committee updates-none

#### APPOINTMENT TO THE PARK COMMISSION

Mayor Rasmussen Jr. stated that he had received an application for a position open on the Parks and Recreation Board from Vern Rasmussen Sr. Mayor requested the Council to consider the appointment of Mr. Vern Rasmussen Sr.

Motion: Move to approve Vern Rasmussen Sr. to the Park and Recreation Board.

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 and Brooks. Mayor Rasmussen Jr. abstained from voting. Mayor Rasmussen Jr., declared the motion passed.

Mayor Rasmussen Jr. reported the following:

- October is the American Archives Month
- Spent time downtown for the celebration and Color Dash was an excellent event.
- Downtown Celebration -Thank you to everyone who participated
- Attended the Port Authority Meeting

#### **CITY MANAGER REPORT**

City Manager Adams reported on the following:

- Thanked council for being able to attend Blandin Leadership Program. Would recommend anyone to attend this Leadership Program. The Blandin Foundation pays for all expenses for the entire week, for lodging, meals and programs. Only cost to the individual is time away from work and getting up to Grand Rapids and back again. Great program and look forward to implementing a lot of the initiatives that we came to a consensus on within our small groups.
- November 12, 2013, Rescheduled council meeting due to Veteran's Day, targeting that day for public comments on the Skate Park, will be promoting this more and more within the next several weeks. Petition was received this evening on this issue; Park Commission has provided recommendation on this issue. November 12<sup>th</sup> will be the day that we will be looking for community input on the present location or future location. Staff will be seeking council direction on this item on November 12, 2013.

**APPROVAL OF CLAIMS**

**RESOLUTION 13-21 APPROVING CLAIMS**

City Manager Adams 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 Brooks to approve payment of claims as presented for checks #50406 through #50567 in the amount of \$2,235,859.11; 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 13-216  
included with these minutes.)

**ADJOURNMENT 9:00 P.M.**

Councilor Anderson moved and Councilor Marin seconded that there being no further business, the council meeting be adjourned at 9:00 p.m., until the next regular meeting of the Albert Lea City Council at 7:00 p.m. on Monday, October 28, 2013. On roll call vote, all councilors voted in favor of said motion. Mayor Rasmussen Jr. declared the motion passed and the meeting adjourned.

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Mayor Vern Rasmussen, Jr.

Filed and attested this 14<sup>th</sup> day of October, 2013

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Secretary to the Council