

**REGULAR COUNCIL MEETING MINUTES  
CITY COUNCIL CHAMBER, CITY OF ALBERT LEA  
Tuesday, December 23, 2013, 7:00 P.M.**

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

**CEREMONIAL**

Mayor Rasmussen Jr. recognized the following outgoing Board and Commission Members with Appreciation Plaques for serving two terms (6 yrs. of service):

**Parks Board:** Jean Eaton, Scott Martin, Lee Walters

**Airport Advisory Board:** Craig Ludtke

**Library Board:** Jane Kepple-Johnson, Rick Buringa

**Advisory Planning Commission:** Robert Hoffman

**Heritage Preservation Commission:** Tom Staker

Mayor Rasmussen Jr. announced that the City of Albert Lea received the 2013 Local Government Innovation Award for the Process Improvement Teams (PIT Crews) at the Humphrey School of Public Affairs, University of Minnesota presented by AMC, League of Minnesota Cities, MSBA and in partnership with the Bush Foundation. Mayor Rasmussen Jr. congratulated the city and city staff for this award.

**APPROVAL OF AGENDA**

- A. Approve Minutes Of The December 9, 2013 Regular Council Meeting
- B. Approve Minutes Of The December 5, 2013 Work Session
- C. Licenses And Permits (None issued)
- D. Resolution 13-264 Rescinding Order For Removal – 705 Madison Avenue
- E. Resolution 13-265 Approving Contract With Minnesota Public Employees Association (MNPEA)
- F. Resolution 13-266 Acknowledging Municipal Boundary Adjustment – 1438 South Shore Drive
- G. Resolution 13-267 Acknowledging Municipal Boundary Adjustment – 2301 Stevens Street
- H. Resolution 13-268 Acknowledging Municipal Boundary Adjustment – 2501 Crossroads Boulevard
- I. Resolution 13-269 Accepting Bid And Awarding Contract For Fuel Supplies
- J. Resolution 13-270 Accepting Bid And Awarding Contract For Supervisory Control And Data Acquisition (SCADA) System Upgrade

- K. Resolution 13-271 Authorizing Amendment with Bolton & Menk, Inc. For Broadway Avenue Streetscape And Infrastructure Project
- L. Accept Proposal For Engineering Services From Jones, Haugh & Smith, Inc. For Stables Area
- M. Resolution 13-272 Approving Building Plans For Edgewater Cottage

MOTION: I will move to approve the consent agenda with the removal of 4L to be placed under New Business.

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

(See Secretary's Original Resolutions 13-264 - 272  
included with these minutes)

## **PUBLIC FORUM**

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

Robert Ackland, Albert Lea and Annette Frank, Owatonna explained the Uplift Housing Project, a Non-Profit Organization:

- Working on a partnership with United Way, HRA, etc.
- Provide affordable housing by fixing up vacant houses
- Working with agencies to provide funding on these properties
- Researching State funding in obtaining grants
- Working with displaced families

### **UNFINISHED BUSINESS**

#### **ORDINANCE 177,4D AMENDING CHAPTER 74 TO ADD SECTION 74-60 INTERIM USE PERMITS TO CITY CODE (2nd READING)**

City Manager Adams explained that the first reading of this ordinance was held on December 9, 2013. The Interim Use Permit (IUP) ordinance provides greater flexibility in allowing for uses that may be appropriate in a particular district but are not specifically mentioned in the zoning ordinance. Currently, any uses not specifically stated as a permitted or conditional use are considered restricted. Interim use permits generally follow a similar process and application requirements as conditional use permits, with the primary difference being that an interim use permit does not run with the land in perpetuity, but follows with the applicant for a specified amount of time. Staff recommends approval of the final ordinance.

Councilor Brooks moved to approve the second reading of this ordinance, 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 first reading of this ordinance passed.

(See Secretary's Original Ordinance 177,4d  
included with these minutes)

**RESOLUTION 13-273 PERMITTING PUBLICATION OF ORDINANCE SUMMARY 177,4D  
AMENDING CHAPTER 74 TO ADD SECTION 74-60 INTERIM USE PERMITS TO CITY CODE**

City Manager Adams explained that the attached resolution would approve publication of a summary of this ordinance that amends the City Code by adding Section 74-60 Interim Use Permits. Publishing the summary meets the publication guidelines, but must pass by a four-fifths vote of the council. Staff recommends approval of the resolution permitting publication of the summary.

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

(See Secretary's Original Resolution 13-273  
included with these minutes.)

**NEW BUSINESS**

**RESOLUTION 13-274 AUTHORIZING FUNDS TRANSFER**

City Manager Adams explained that the resolution authorizes the funds transfer as outlined in the 2013 adopted General Fund budget. There are no changes to the recommendations of transfers. The transfer to the Airport Fund for capital projects will be brought forward once the construction projects have been reconciled at year-end. Staff recommends approval.

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

(See Secretary's Original Resolution 13-274  
included with these minutes)

**ACCEPT PROPOSAL FOR ENGINEERING SERVICES FROM JONES, HAUGH & SMITH, INC. FOR STABLES AREA**

City Manager Adams explained that on November 15, 2013, the City of Albert Lea solicited proposals for engineering services for design and construction oversight for the construction of a sanitary sewer lift station, watermain, sanitary sewer, storm sewer, and bituminous and gravel street construction to service the proposed St. John's Lutheran Home Facility and the Stables Area north of Edgewater Park in Albert Lea. The design proposal also accommodated future extension of the sanitary sewer and watermain north along CSAH 20 to the West Plaza Street area. The City received proposals from four firms.

The proposal from Jones, Haugh & Smith, Inc. (JHS) was the low proposal for the work. Staff recommends approval of that contract in the amount of \$13,420.

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

**MAYOR & CITY COUNCIL REPORTS**

First Ward, Councilor Schulte V was absent.

Second Ward, Councilor Baker was absent.

Third Ward, Councilor Marin was absent.

Fourth Ward, Councilor Olson reported:

- Ward Items - None
- Committee updates - None

Fifth Ward, Councilor Anderson reported:

- Ward Items - None
- Committee updates - None
- Council Anderson cautioned the public to be careful on the ice, to pick up garbage on the ice, and practice cold safety with the young and the elderly.

Sixth Ward, Councilor Brooks reported:

- Ward Items - None
- Committee updates - CVB meeting

Report of Mayor Rasmussen Jr.:

- Councilor Baker was absent due to surgery and called to wish everyone a Merry Christmas.
- Council went into a Closed Session on Thursday, December 19, 2013; all members of the council were present other than Councilor Marin. Council reviewed the City Manager's performance appraisal during the session. The review found City Manager Adams' performance to be satisfactory or just above satisfactory in most areas. Council also discussed several personal goals with him. Council will finalize these goals at the retreat scheduled for January 2014.
- Mayor Rasmussen wished everyone a Merry Christmas and Happy New Year. He commented that 2013 has been a year of change for the City of Albert Lea; there were many projects that changed the face of the community. He noted there are a lot more projects to come. The Mayor expressed appreciation for all of the hard work and time that staff put forward to make sure all of this could happen for us as a community.

Report of City Manager Adams:

The City Manager thanked City employees for all of their work in 2013 on a variety of different projects, particularly the Local Government Innovation Award referenced by the Mayor. Without everyone's help, from line staff to senior management team members, the City would not be improving processes and efficiencies, avoiding duplication, or providing exceptional services to the residents of the community. Mr. Adams also provided an update on the Freeborn Bank Building:

- A roundtable meeting was held Friday, December 13, 2013.
- Five developers attended the session and there is a sixth interested party.
- Proposals are due by January 31, 2014.

The City Manager wished everyone a very Merry Christmas and safe and happy holidays.

**APPROVAL OF CLAIMS**

**RESOLUTION 13-275 APPROVING CONTRACT WITH COUNCILMEMBER SCHULTE V**

The attached resolution directs the Mayor and City Clerk to make payment in the amount of \$3,500.00 on behalf of the City for a claim from Jones, Haugh & Smith, Inc. and to issue payment for filing the affidavit of official interest by the interested official, Councilmember John Schulte.

Motion made by Councilor Brooks to adopt this resolution authorizing funds transfers, seconded by Councilor Anderson. On roll call vote, the following councilors voted in favor of said motion:

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

(See Secretary's Original Resolution 13-275  
included with these minutes)

**RESOLUTION 13-276 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 Anderson to approve payment of claims as presented for checks #51108 through #51275 in the amount of \$671,331.93; seconded by Councilor Olson. On roll call vote, the following councilors voted in favor of said motion: Councilors Olson, Anderson, Brooks and Mayor Rasmussen Jr. Mayor Rasmussen Jr. declared the motion passed.

(See Secretary's Original Resolution 13-276  
included with these minutes)

**ADJOURNMENT 8:15 P.M.**

Councilor Brooks moved and Councilor Olson seconded that there being no further business, the council meeting be adjourned at 8:15 p.m., until the next regular meeting of the Albert Lea City Council at 7:00 p.m., on Monday, January 13, 2014. On roll call vote, all councilors voted in favor of said motion. Mayor Rasmussen Jr. declared the motion passed and the meeting adjourned.

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Mayor Vern Rasmussen, Jr.

Filed and attested this 23<sup>rd</sup> day of December, 2013

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Secretary to the Council