

**REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA
Monday, July 27, 2015, 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, City Engineer Steven Jahnke, City Attorney Lee Bjorndal, and City Clerk, Shirley Slater-Schulte

CEREMONIAL ITEMS

ALBERT LEA POLICE DEPARTMENT AWARD

Public Safety Director Dwaine Winkels stated that on June 20, 2015, Albert Lea Police Officer Tim Harves responded to a medical call for service. The information given was that a male subject had fallen. Officer Harves arrived within seconds of receiving the call and was directed to an unresponsive male subject on the floor. The Officer immediately determined the person was in cardiac arrest. He initiated CPR and utilized a defibrillator to restore a life sustaining pulse. Additional personnel arrived along with paramedics. The person was transported to the hospital for treatment and has since returned home to continue his life. Marlene Olson, wife of Roger Olson, read a letter regarding the event that saved Mr. Olson's life and Roger Olson presented the award to Officer Harves. This is Officer Harves' fifth Lifesaving award and is unmatched by any other officer.

PUBLIC FORUM

Mr. Harold Kamrath, 326 Glenn Road, encouraged the council to use the interest from the Fire Pension Fund for the payment of fire pumper truck rather than using taxpayer dollars for this item

CONSENT AND APPROVAL OF AGENDA

- A. Approve Minutes Of The July 13, 2015 Regular Council Meeting
- B. Approve Minutes Of The July 9, 2015 Work Session
- C. Licenses And Permits (See Attached List)
- D. Resolution 15-145-Accepting Donations Presented To The City Of Albert Lea
- E. Resolution 15-146 Accepting Grant Award From Minnesota Energy Resources Corporation
- F. Resolution 15-147-Accepting 2016 Towards Zero Deaths Grant Award
- G. Resolution 15-148-Approving State Of Minnesota Subscriber Agreement For Minnesota Court Data Services
- H. Resolution 15-149-Approving Plans And Specifications And Ordering Advertisement Of Bids For North Industrial Park Regional Stormwater Pond (Job 1467)
- I. Resolution 15-150-Approving Administrative Lot Survey For Property Located At 1871 Paradise Road
- J. Resolution 15-151-Approving Administrative Lot Survey For Property Located At 301 Lee Circle

MOTION: Move to approve the consent agenda as amended:

- Moving item K - Resolution Vacating An Existing Alley – Block 10 Of Buschbom 5th Addition to New Business
- Moving item L - Resolution Approving Preliminary And Final Plat Of Buschbom 6th Addition to New Business
- Removing item A – Resolution Declaring American Legion Youth Baseball Fundraiser as Community Festival.

Motion made by Councilor Baker, 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 15-145-151
Included with these minutes)

PETITIONS, REQUESTS, AND COMMUNICATIONS

UNFINISHED BUSINESS

NEW BUSINESS

PUBLIC HEARING AND RESOLUTION 15-152-APPROVING PURCHASE OF REAL ESTATE FROM CSSJ B&K BUILDING PARTNERSHIP BY THE CITY OF ALBERT LEA - 314 SOUTH BROADWAY

City Manager Adams explained that the City of Albert Lea seeks to purchase the real property at 314 South Broadway in Albert Lea for \$130,000. The building currently houses the Christian and Peterson Law Firm and is owned by CSSJB&K Building Partnership, a Minnesota general partnership. A Commercial Purchase Agreement is attached for review. The Planning Commission reviewed the proposed transfer and found that it is consistent with the terms of the Comprehensive Plan. The initial use by the City is hoped to be some form of rental of the property. The City owns another property on the block at this time. The purchase of this property is to facilitate future redevelopment of the entire block. Staff supports the purchase.

Mayor Rasmussen Jr. opened the public hearing.

Mr. Harold Kamrath, 326 Glenn Road, requested more information and a map of this property be provided at the meeting so the public can be informed. Mr. Kamrath stated that he was opposed to the city purchasing this property.

Mr. Gary Hagen, 501 Albert Lea Street, stated concerns and questions regarding the pending assessments on the property being purchased by the city.

Mayor Rasmussen closed the public hearing after calling three times.

Councilor Marin stated many more needs within the city and city should not be involved in this purchase, and he would not be supporting this agreement.

Councilor Brooks stated concerns about the city owing more property and would like to see tenants in the Freeborn Bank Building.

Motion made by Councilor Schulte V, seconded by Councilor Anderson to purchase the property at 314 South Broadway. On roll call vote, the following councilors voted in favor of said motion: Councilors Schulte V, Baker, Olson Anderson, Brooks and Mayor Rasmussen Jr. Councilor Marin voted nay. Mayor Rasmussen Jr. declared the motion passed.

(See Secretary's Original Resolution 15-152
included with these minutes)

RESOLUTION 15-153-APPROVING THE ASSIGNMENT OF THE FRANCHISE AGREEMENT BETWEEN THE CITY OF ALBERT LEA AND INTERSTATE POWER AND LIGHT COMPANY TO SOUTHERN MINNESOTA ELECTRIC COOPERATIVE

City Manager Adams explained that the City of Albert Lea and Interstate Power Company entered into an electric franchise for a period of twenty (20) years from January 1, 1995. The electric franchise came up for renewal on or about December 31, 2014 and was extended one year to December 31, 2015. Interstate Power is to enter into an assignment agreement that will assign all of its rights and obligations under the franchise to Southern Minnesota Electric Cooperative (SMEC) in connection with a proposed asset sale. SMEC is an organization of 12 electric distribution cooperatives with service territories in Southern Minnesota with Freeborn-Mower Cooperative Services being one of the 12 cooperatives. Staff finds it is reasonable to consent to the assignment agreement between Interstate Power and SMEC.

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

(See Secretary's Original Resolution 15-153
included with these minutes)

PUBLIC HEARING AND RESOLUTION 15-154-VACATING AN EXISTING ALLEY – BLOCK 10 OF BUSCHBOM 5TH ADDITION

City Manager Adams explained that the attached resolution would approve an alley easement vacation located between Lots 1 and 2, Block 10, Buschbom Fifth Addition, which facilitates the development of the property as one lot. Staff recommends approval.

Mayor Rasmussen Jr. opened the public hearing.

Mr. Harold Kamrath, 326 Glenn Road, requested information and map about the property.

Mayor Rasmussen closed the public hearing after calling three times.

Motion made by Councilor Brooks, 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 15-154
included with these minutes)

RESOLUTION 15-155-APPROVING PRELIMINARY AND FINAL PLAT OF BUSCHBOM 6TH ADDITION

City Manager Adams explained that the attached resolution would approve the preliminary and final plat as reviewed by the Planning Commission at their public hearing of July 27, 2015 to combine two lots into one, and plat a public road right-of-way for future Consul Street at 2320 East Main Street. Staff recommends approval.

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 Resolution 15-155
included with these minutes)

MAYOR AND COUNCIL REPORTS

First Ward, Councilor Schulte V reported:

- Ward Items – none
- Committee update - none

Second Ward, Councilor Baker reported:

- Ward Items – Request to use Warming Houses during the winter months for parties, etc. Request from resident regarding becoming a “Quiet” city. Concerns regarding mosquito spraying.
- Committee Update – Wind Down Wednesday update and thanked everyone for their support.

Third Ward, Councilor Marin reported:

- Ward Items – None

- Committee Update – Stated concerns about making more strides regarding the questions on projects, have answers to these questions, work on transparency to the taxpayer and improve our customer service.

Fourth Ward, Councilor Olson reported:

- Ward Items – Residents would like more information on becoming a “Quiet” City and resident would like information on fund raiser for a dog park, mowing needed on Habitat property
- Committee update – none

Fifth Ward, Councilor Anderson reported:

- Ward Items – referred to staff
- Committee update – none

Sixth Ward, Councilor Brooks

- Ward Items – Inspections, Mosquito Spraying
- Committee update – None

REPORT OF THE MAYOR

Mayor Rasmussen Jr. reported the following:

2015 NEIGHBORHOOD PICNICS

The City of Albert Lea will be hosting three neighborhood picnics this year. The picnics will be held from 5:30-7:00 p.m. at the following parks:

- August 11 – Fountain Lake Park
- August 12 – Eastgate Park
- August 13 – Memorial Park

These informal gatherings are intended as a way for staff and the community to share ideas and learn about city services. Come and check out fire and police vehicles and other city displays. There will also be games for the kids. Hot dogs, cookies, chips, watermelon and a beverage will be provided. Bring lawn chairs or a blanket.

The picnics are sponsored by the City of Albert Lea and the National Vitality Center Leadership Team.

CITY MANAGER REPORT

City Manager Adams reported on the following:

- City has been in contact with Clarke’s Mosquito Control for spraying issues and speed
- Assessments on 314 S. Broadway will be paid for with general taxes/taxpayers

APPROVAL OF CLAIMS

RESOLUTION 15-156-APPROVING CONTRACT WITH COUNCILMEMBER SCHULTE

City Manager Adams explained that the attached resolution directs the Mayor and City Clerk to make payment in the amount of \$14,341.26 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, Councilor Schulte V.

Motion made by Councilor Brooks, 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 abstained. Mayor Rasmussen Jr. declared the motion passed.

(See Secretary's Original Resolution 15-156
included with these minutes)

RESOLUTION 15-157-APPROVING CONTRACT WITH COUNCILMEMBER BROOKS

City Manager Adams explained that the attached resolution directs the Mayor and City Clerk to make payment in the amount of \$531.95 on behalf of the City for a claim from Brooks Safety Equipment and to issue payment for filing the affidavit of official interest by the interested official, Councilor Brooks.

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

(See Secretary's Original Resolution 15-157
included with these minutes)

RESOLUTION 15-158-APPROVING CLAIMS

Motion made by Councilor Baker to approve payment of claims as presented for checks #56713 though #56874 in the amount of \$1,027,175.11, 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 15-158
included with these minutes)

ADJOURNMENT 7:43 p.m.

Motion made by Councilor Anderson, 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, August 10, 2015. 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 28th day of July, 2015

Council Secretary