

**REGULAR COUNCIL MEETING  
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA  
Monday, August 24, 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, Assistant City Manager Jerry Gabrielatos, City Engineer Steven Jahnke, and City Clerk Shirley Slater-Schulte

**CEREMONIAL ITEMS**

**PROCLAMATION DECLARING NATION OF PATRIOTS DAY**

Mayor Rasmussen Jr. introduced a proclamation declaring September 1st as Nation of Patriots Day. The Albert Lea Harley Owners Group raises money during this event to help military personnel in our area.

Mr. Chuck Paczkowski, 911 Clausen Avenue, was present to accept the proclamation and explain the program. Mr. Paczkowski thanked the council for this honor and extended an invitation to the council to attend an event at Bergdale's Harley Davidson on Tuesday, September 1<sup>st</sup> at 12:30 p.m. for the presentation of the flag being passed from Eden Prairie to the Albert Lea Chapter.

**MAYOR'S APPOINTMENT TO LIBRARY BOARD**

Mayor Rasmussen Jr. appointed Ann Berry to the Albert Lea Library Board.

**MOTION:** Move to approve the appointment of Ann Berry to the Albert Lea Library Board.

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.

**PUBLIC FORUM**

Charlotte Nelson-Schocker, 1521 W. Clark Street, asked questions about the tax levy and increases to the city budget, the Citizens survey and how applicants are selected, Wheelage tax on vehicles and city businesses.

Ann Austin, 1002 Pinehill Drive, shared highlights of the new Community Resource Center located in Room 108 at Riverland College:

- A central location to provide assistance to new or existing community members who are navigating local systems

- Reviewed current, new and overview of operations
- Potential grant funding and services
- Other potential services and needs
- Requests from local businesses
- Opportunities for sponsorship

Mr. Harold Kamrath, 326 Glenn Road, asked questions regarding parking assessments and suggested creating a steering committee to review the assessment policy and formula for the Downtown Parking Assessments.

### **CONSENT AND APPROVAL OF AGENDA**

- A. Approve Minutes Of The August 10, 2015 Regular Council Meeting
- B. Approve Minutes Of The August 6, 2015 Work Session
- C. Licenses And Permits (See Attached List)
- D. Resolution 15-169-Accepting Donations Presented To The City Of Albert Lea
- E. Resolution 15-170-Authorizing Second Amendment To Lease Agreement With MLH Enterprises, LLC
- F. Resolution 15-171-Amending Professional Services Agreement with Mead & Hunt Task Order No. 25 (Job 1561)
- G. Resolution 15-172-Accepting Terms and Conditions of Airport Improvement Grants Federal Aviation Administration Agreement (Job 1561)
- H. Resolution 15-173-Authorizing Lease Agreement With National Vitality Center

MOTION: Move to approve the consent agenda as amended with the removal of item F, Resolution Approving Administrative Lot Survey for Property Located at 214 Lee Circle, to be placed under New Business.

Motion made by Councilor Baker, 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 15-169-173  
included with these minutes)

### **PETITIONS, REQUESTS, AND COMMUNICATIONS**

#### **CANOE/KAYAK RENTAL STATION AND IPADDLEPORT SERVICES – BILL HOWE**

Bill Howe, with the Lakes Foundation, gave an update on the canoe/kayak rental station at Frank Hall Park. Bill noted that since the rental station opened they have had people from all over renting including Las Vegas, Montana, Colorado, Rochester and averaging one rental a

day the first month and over 2 a day the second month. Users can now rent on demand rather than waiting 24 hours and can reserve up to 21 days in advance.

### **UNFINISHED BUSINESS**

#### **ORDINANCE 197,5D AMENDING CHAPTER 6, ARTICLE II, DIVISION I, SECTION 6-45 – PREMISES LICENSED (2<sup>ND</sup> READING)**

City Manager Adams explained that City Code Section 6-45 permits certain liquor license holders to serve alcoholic beverages at events occurring on municipal property. An amendment to add six other locations is proposed. These are the Water Street Plaza, one-half block east from Broadway, the William Street Plaza, next to the Freeborn Bank Building, the Freeborn Bank Building, Jacobson Building, Bancroft Bay, Edgewater Bay Park and Pioneer Park. The Plaza locations can be closed for various sorts of events. Their closure also allows Broadway to remain open, so the impact on downtown traffic is lessened. Section 6-45(c) is deleted in this draft. This draft clarifies that club licenses have the same ability to dispense alcohol at various events as do other retail licensees. This is consistent with State law. Staff supports the amendment.

Motion made by Councilor Baker to approve the 2nd 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 motion passed.

(See Secretary's Original Ordinance 197,5d  
included with these minutes)

### **NEW BUSINESS**

#### **ORDINANCE 198-5d GRANTING FREEBORN MOWER COOPERATIVE SERVICES, A MINNESOTA COOPERATIVE, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE FOR A PERIOD OF FIFTEEN YEARS (1<sup>ST</sup> Reading)**

City Manager Adams explained that City staff and Freeborn Mower Electric Cooperative Services, a Minnesota Cooperative, have negotiated a new electric franchise agreement. This is following the Co-op's transfer from Alliant Energy. This is a fifteen year franchise agreement. The agreement addresses the relationship between the parties regarding the utility's physical distribution system placement within City right-of-ways, as well as a franchise fee of 4.5% of total gross receipts of the Co-op's energy sales. Any disputes between the parties will first be addressed with staff, and if not resolved by staff, will be taken to mediation in the form of alternative dispute resolution. Staff recommends approval of the first reading.

Motion made by Councilor Brooks to approve the 1<sup>st</sup> 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 motion passed.

(See Secretary's Original Ordinance 198,5d  
included with these minutes)

#### **RESOLUTION 15-174 AMENDING THE CONVENTION & VISITORS BUREAU AGREEMENT**

City Manager Adams explained that the Convention & Visitors Bureau (CVB) currently receives a payment of \$13,000 per month from lodging tax collected by hotels and motels. The City administers the financial aspects of the program and retains five percent of amounts collected. Receipts of lodging tax have grown. The CVB would like to receive 95% of all receipts effective September 1, 2015. The September 15, 2015 payment will include a reconciliation of 95% of the amounts collected from January through August, 2015 beyond the monthly payments of \$13,000.00. Starting in October, the CVB will receive 95% of the prior month's collections. Staff recommends approval.

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 15-174  
included with these minutes)

#### **RESOLUTION 15-175 AUTHORIZING THE ACQUISITION OF CERTAIN TAX FORFEITED PROPERTY**

City Manager Adams explained that the City of Albert Lea has received notification from Freeborn County regarding tax-forfeited properties held by the State of Minnesota for non-payment of property taxes. The attached resolution would authorize and direct staff to request the County to withhold the parcels for public sale for up to six months to allow staff time to negotiate with the County regarding a purchase price for the parcels. The addresses for properties to be acquired are 332 Broadway Avenue South, 717 Madison Avenue and 815 Madison Avenue. The City would require the parcels to be used for public purpose consistent with the City's Comprehensive Plan and Redevelopment Map. Staff recommends approval.

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

(See Secretary's Original Resolution 15-175  
included with these minutes)

**RESOLUTION 15-176 APPROVING ADMINISTRATIVE LOT SURVEY FOR PROPERTY LOCATED AT 212 LEE CIRCLE**

City Manager Adams explained that Mr. John Schulte V., 212 Lee Place, has requested approval of an Administrative Survey for the purpose of splitting 10 ft. off of his neighboring property (214 Lee Place) in order to increase the width of his lot from 70 to 80 feet to allow for a potential future addition to his residence. The Development Review Team has reviewed and approved the plat. Staff recommends approval.

Motion made by Councilor Anderson, 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 15-176  
included with these minutes)

**MAYOR AND COUNCIL REPORTS**

First Ward, Councilor Schulte V reported:

- Ward Items – None
- Committee update – Library updates

Second Ward, Councilor Baker reported:

- Ward Items – Garbage in the street
- Committee Update – Wind Down Wednesday

Third Ward, Councilor Marin reported:

- Ward Items – Issues with the Emergency Siren System
- Committee Update – None

Fourth Ward, Councilor Olson reported:

- Ward Items – None
- Committee update – Ordinance supported by Parks Board in favor of liquor in the park, attended two picnics in the park, Welcome sign needs repair by McDonalds, concerns about train noise

Fifth Ward, Councilor Anderson reported:

- Ward Items – Letter from contractor doing work in his ward
- Committee update – Airport updates

Sixth Ward, Councilor Brooks

- Ward Items – Intent of the city to have higher density on the Madison properties, update on South Broadway, update on Virginia & 5<sup>th</sup> Street, issues with signal lights, issues on street on Front Street
- Committee update – none

### **REPORT OF THE MAYOR**

Mayor Rasmussen Jr. reported the following:

- Saturday, September 12, 2015 – Thorne Crest Retirement Community to hold 5k Walk/Run
- Welcomed Campers Group at Freeborn County Fairgrounds
- Updates on Senior Center meeting
- Attended the meeting with State Representatives regarding work force issues
- Reported on Neighborhood picnics

### **CITY MANAGER REPORT**

City Manager Adams reported the following:

- HRA hosting a 50<sup>th</sup> Open House on Friday from 11-1
- Bonding Committee will be hosting an event at Riverland Community College
- Reviewed the Citizen's Survey and how it was completed
- Explained the tax levy and addressed questions asked during Open Forum
- Researching "Quiet Zones"

### **APPROVAL OF CLAIMS**

#### **RESOLUTION 15-177 APPROVING CLAIMS**

Motion made by Councilor Schulte V to approve payment of claims as presented for checks #57009 through #57153 in the amount of \$807,753.78, 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 15-177  
included with these minutes)

#### **CLOSED SESSION – Land Acquisition Pursuant To Minn. Stat. §13D.05, Subd. 3(c)**

City Manager Adams stated the purpose for the Closed Session was pursuant to Minn. Stat. §13D.05, Subd. 3(c); the specified parcels to be discussed are 1016 Madison.

#### **REOPENED THE REGULAR COUNCIL MEETING**

Motion made by Councilor Marin to reopen the Regular Council Meeting, 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.

Mayor Rasmussen Jr. stated that Council discussed potential land acquisition and added that staff was given direction in Closed Session regarding 1016 Madison.

**ADJOURNMENT 8:14 PM**

Motion made by Councilor Marin, seconded by Councilor Anderson 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, September 14, 2015. 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.

Dated this 24th day of August, 2015

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Council Secretary