

REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA
January 22, 2024 - 7:00 P.M.

PRESENT: Mayor Rich Murray, Councilors Rachel Christensen, Larry Baker, Jason Howland, Sherri Rasmussen, Robert Rasmussen, Brian Anderson, City Manager Ian Rigg, Public Works Director Steven Jahnke, City Attorney Bryce Holstad of Lake National Law LLP, and City Clerk Daphney Maras.

ADDITIONAL STAFF PRESENT: Sergeant-at-Arms-Public Safety Director JD Carlson, Finance Director Kristi Brutlag, Human Resource Director Mike Zelenak, Civil Engineer Chris Lowe, Environmental/Civil Engineer John Ryther.

CALL TO ORDER AND ROLL CALL - Mayor Murray called the meeting to order at 7:00 PM. City Clerk Maras administered roll call.

PLEDGE OF ALLEGIANCE - Mayor Murray asked all in attendance to stand and recite the Pledge of Allegiance.

CEREMONIAL ITEMS

Sergeant Steve Charboneau of the Albert Lea Police Department presented Dalton Grose with a Life Saving award and Kelly Herfindahl with a Letter of Recognition for their heroic efforts as a result of a traffic crash September 20, 2023. Charboneau described the crash and the actions set forth by Mr. Grose in saving the victim as the vehicle submerged into the lake. Ms. Herfindahl was swift to call 911 and direct safety personnel to the crash site.

Fire Captain Trevor DeRaad introduced the two newest Fire Fighters Darion Peterson and Mitch Mulder. City Clerk Maras administered the Oath of Office to both Fire Fighters.

Public Safety Director JD Carlson introduced officer Brian Schember as the newest police officer. City Clerk Maras administered the Oath of office to Officer Schember.

PUBLIC FORUM

Kristan Dye is the Vice President of the Albert Lea Community Theatre. She offered support of the referendum to update the Theatre, Aquatic Center, and the Arena.

Angie Hanson spoke of her support to bring forth the capital improvements to the Rec Facilities to the voters.

Olivia Ellsworth, Mika Cichos, Rachel Doppelhammer Hockey Captains of the Girls Albert Lea Hockey team. They implored council to move forward with the proposed improvements to the Rec Facilities.

Todd Ulve, President of the Albert Lea Hockey Association spoke of the full support on behalf of the entire Hockey Association Board to bring the upgrades to the Rec Facilities. He suggested foregoing a referendum and instead implement upgrades in phases. He delivered historical facts of the Albert Lea Hockey Association and the financial impact on the community and businesses. On behalf of the Hockey Association, they pledge \$250 to the upgrades to the City Arena lobby.

Kelly Peterson Vice President of the Albert Lea Figure Skating Club. He spoke of his support to the proposed improvements on the Rec Facilities and provided history of the club.

Jon Murray has been a hockey dad for 10 years. He spoke of the successful history of hockey in Albert Lea including the economic impact to the community. He spoke of the importance of maintaining the second sheet of ice at the arena.

Rachel Poppel is a local business owner in Albert Lea. She supports the proposed improvements to the Rec Facilities. She asked that council move forward with the improvements and forego a referendum.

Abby Leach Schumacher is a local attorney in Albert Lea. She has coached hockey for several years. She spoke of the repercussions if the Rec Facilities are not maintained referencing the hockey kids sitting in the audience who will not be playing should a second rink be omitted due to lack of upgrades. She implored council to forego a referendum and move forward with the upgrades.

CONSENT AND APPROVAL OF AGENDA

- A. Approve Minutes of the January 08, 2024 Regular Council Meeting
- B. Approve Minutes of the January 08, 2024 Work Session
- C. License & Permits
- D. Resolution Receiving Feasibility Report and Calling a Public Hearing for the 2024 Neighborhood Improvement Project – Job No. 2401
- E. Resolution Receiving Feasibility Report and Calling a Public Hearing for the 2024 State Aid Overlay Project – Job No. 2402
- F. Resolution Receiving Feasibility Report and Calling a Public Hearing for the Marshall Street & Sibley Avenue Reconstruction Project – Job No. 2403
- G. Resolution Receiving Feasibility Report and Calling a Public Improvement Hearing for the 7th Street & Winter Avenue Reconstruction Project – Job No. 2404
- H. Resolution Accepting Donations as Presented to the City of Albert Lea
- I. Resolution Authorizing a Small Cities Development Program (SCDP) Local Income Plan Forgivable Loan for Renovation of LMI Multi-Family Property Located at - 127 Elizabeth Avenue
- J. Resolution Authorizing a Small Cities Development Program (SCDP) Local Income Plan Forgivable Loan for Renovation of LMI Single-Family Property Located at - 820 Hawthorne Street
- K. Resolution Authorizing a Small Cities Development Program (SCDP) Local Income Plan Forgivable Loan for Renovation of LMI Multi-Family Property Located at – 1516 Hawthorne Street

- L. Resolution Approving Minnesota Employment and Economic Development Redevelopment Grant
- M. Resolution Committing Local Match and Authorizing Contract Signature

Motion made by Councilor Baker to approve the consent agenda as read, seconded by Councilor Christensen. On roll call vote, the following councilors voted in favor of said motion: Christensen, Baker, Howland, S. Rasmussen, R. Rasmussen, Anderson, and Mayor Murray. Mayor Murray declared the motion passed.

(See Secretary's Original Resolution 24-012 through 24-021
Included with these minutes)

PETITIONS, REQUESTS AND COMMUNICATIONS

- A. Smart Transit Service Update – Kirk Kuchera Transit Manager and Joanne Brackey staff at Smart Transit.

Brackey provided testimonials of Smart Bus users. Kuchera provided the history of Smart Transit and outline of services provided. Councilor Sherri Rasmussen inquired about the free transportation for Austin Senior residents to and from Mayo Clinic. She asked if this is a service that could be provided for Albert Lea Seniors as well. Kuchera responded explaining that service is currently being reviewed as an option in Albert Lea.

- B. Staff Report – 3rd Quarter Budget Report - Finance Director Kristi Brutlag delivered a short presentation detailing the 3rd quarter budget report.
- C. Wastewater Treatment Plant (WWTP) – Chloride Reduction Action Plan Options Presentation - Environmental/Civil Engineer John Ryther

Ryther displayed a slideshow showcasing the Chloride Action Plan noting the City has been granted a 15-year chloride variance with the variance being subject to re-evaluation every five years. Ryther listed the needs for this program which included:

- council support for pursuing grants as they become available
- \$200,000 request to run optimization program for residential softeners.
- \$60,000 (\$30,000 each) request to utilize consultant assistance with revers osmosis for two larges SIU's

Program funding sources were reviewed including the Chloride Reduction Grants provided by the MPCA, Small Business Environmental Improvement loans at zero-percent interest to help small businesses purchase equipment to meet or exceed environment regulations or to investigate and clean up contaminated sites, DEED grants, as well as additional sources. He concluded with reciting the industry plan.

UNFINISHED BUSINESS – None

NEW BUSINESS

A. Resolution 24-022 Approving Purchase of Elgin/Pelican Sweeper to Replace Unit #788 Elgin/Pelican Sweeper

This item is for the replacement of Unit #788 (STR-E-24-01), a 2017 Elgin/Pelican Sweeper with 4560 hours and 14700 miles. This is one of two sweepers that the Street Department utilizes to sweep the streets. Unit #788 is 7 years old and is at the optimum time to replace before the expenses start to accumulate. Replacement is budgeted at \$240,000.

The new Elgin/Pelican sweeper with options and delivery is \$281,896.00 (State Contract Pricing). The trade-in value for Unit #788 is \$47,000.00 making the total replacement cost \$234,896.00, this price does not include titling and registration. The City has also secured a \$713,000 zero percent interest loan through a MPCA Clean Water Partnership (CWP) Loan Program. The loan covers the cost of the regenerative sweeper purchased last year, the leaf vacuum, and the mechanical sweeper being purchased this year. The total cost of all three units is \$722,410.13. The Shell Rock River Watershed District has been participating in the cost of the equipment.

Motion made by Councilor Howland, seconded by Councilor Anderson. On roll call vote, the following councilors voted in favor of said motion: Christensen, Baker, Howland, S. Rasmussen, R. Rasmussen, Anderson, and Mayor Murray. Mayor Murray declared the motion passed.

(See Secretary's Original Resolution 24-022
Included with these minutes)

B. Resolution 24-023 Approving Purchase of Titan Olympian Leaf Vac to Replace Unit #789 Giant Leaf Vac

This item is for the replacement of Unit #789 (STR-E-24-04), a 2006 Giant Leaf vac. This Unit is 18 years old and has reached its useful life span. The Street Department utilizes it to pick up leaves in the curb line making it easier for the street sweepers to cover more areas faster during the fall season. This is the optimum time to replace before the expenses start to accumulate. This is budgeted at \$164,000.

The new Titan Olympian leaf vac with options and delivery is \$176,113.00 (Sourcewell Contract Pricing), this price does not include titling and registration. Unit #789 will be sold on MN Bid, a competitive bidding site. The City has also secured \$713,000 zero percent interest loan through a MPCA Clean Water Partnership (CWP) Loan Program. The loan covers the cost of the regenerative sweeper purchased last year, the leaf vacuum, and the mechanical sweeper being purchased this year. The total cost of all three units is \$722,410.13. The Shell Rock River Watershed District has been participating in the cost of the equipment.

Motion made by Councilor Baker, seconded by Councilor S. Rasmussen. On roll call vote, the following councilors voted in favor of said motion: Christensen, Baker, Howland, S. Rasmussen, R. Rasmussen, Anderson, and Mayor Murray. Mayor Murray declared the motion passed.

(See Secretary's Original Resolution 24-023
Included with these minutes)

C. Resolution 24-024 Approving Professional Engineering Services – Wastewater Treatment Plant (WWTP) Grit Improvement Construction Oversight Services (Job 2310)

The City has received bids and is awarding a contract to Wapasha Construction Company, Inc. for the construction of the WWTP Grit Improvements. This agreement is for professional services with Bolton and Menk Inc. for the construction oversight and testing during the WWTP Grit Improvement project (Task Order No: 2024-01).

Construction is expected to last until the spring of 2026. Staff is recommending approval of the Bolton & Menk, Inc. Service Agreement on a time and materials not to exceed basis in the amount of \$560,000.

Motion made by Councilor Baker, seconded by Councilor R. Rasmussen. On roll call vote, the following councilors voted in favor of said motion: Christensen, Baker, Howland, S. Rasmussen, R. Rasmussen, Anderson, and Mayor Murray. Mayor Murray declared the motion passed.

(See Secretary's Original Resolution 24-024
Included with these minutes)

D. Resolution 24-025 Relating to the Issuance of General Obligation Bonds to Finance Certain Recreational Facility Improvements in the City and Calling A Special Election Thereon

Rigg displayed the PowerPoint slide show that was presented during the work session to reiterate the proposed projects. He explained based on council discussion at the January 8, 2024 work session, staff have prepared a resolution to call for a special election on April 9, 2024 to authorize the issuance of general obligation bonds to finance \$9.8 million for the Rec Facilities projects. This resolution has been prepared by a bonding attorney with Taft Law of Minneapolis. He noted the slight change to be made to this resolution that adds the word “restrooms” after splashpad to clarify that the no work is proposed to be done directly to the splashpad, rather just the restrooms will be added.

Whether using a combination of abatement bonds and equipment certificates or election bonds and equipment certificates, property owners will pay the debt for the projects either way.

If proceeding with all projects, the impact to city property taxes would be a 9% increase. On a property valued at \$100,000 under current conditions, that would be \$47.50 more per year.

Staff recommends proceeding with all proposed projects at this time because they maintain the current facilities long-term, save energy and costs, or fulfill a request by users. The Arena lobby expansion, Aquatic Center, and public restrooms near the Splash Pad all received support in a recent survey. It's important to provide additional opportunities for the public to

participate, including through donations, in planning the arena lobby, pool remodeling and public restrooms. The Council will still have opportunities to vote down individual projects as the proposal proceeds.

Given the critically important role that these facilities play in youth development, in attracting visitors to Albert Lea, and in attracting more workers to our community, staff recommends proceeding with the proposal.

Councilor Anderson said he supports a referendum as tying up tax abatement dollars for future projects does not sound like a good conscience decision. Council Christensen concurred with Anderson noting the importance to maintain financial options for future economic development opportunities. Councilor Sherri Rasmussen said although she recognizes the importance of hockey to the community, it is too big a decision for seven people. Councilor Howland said he will be first in line to vote yes to the approval of these proposed projects and recognizes the value all the facilities bring to the community. Baker said he does not believe this is a large enough dollar amount to justify a special election. Mayor Murray spoke of the importance of these facilities and is willing to vote against a referendum, but not willing to vote against the project.

Council extended appreciation to the young hockey players in attendance, as well as all the residents packed in the council chambers this evening.

Motion made by Councilor Anderson, seconded by Councilor Howland. On roll call vote, the following councilors voted in favor of said motion: Christensen, Howland, S. Rasmussen, R. Rasmussen, and Anderson. The following voted Nay, Mayor Murray and Councilor Baker. Mayor Murray declared the motion passed.

(See Secretary's Original Resolution 24-025
Included with these minutes)

E. Resolution 24-026 Approving Contract Between Freeborn County and the City of Albert Lea for Election Services

Freeborn County offers and can more effectively provide election support and services leading to election day, including but not limited to absentee voting. City Staff and election judges would be available on election day. The anticipated costs for the City are about \$25,000 and will be added to the Recreational Facilities Improvement budget.

Motion made by Councilor Howland, seconded by Councilor S. Rasmussen. On roll call vote, the following councilors voted in favor of said motion: Christensen, Baker, Howland, S. Rasmussen, R. Rasmussen, Anderson, and Mayor Murray. Mayor Murray declared the motion passed.

(See Secretary's Original Resolution 24-026
Included with these minutes)

F. Resolution 24-027 Accepting Bid & Awarding Contract for the Wastewater Treatment Facility (WWTP) Grit Improvements Project – Job 2310

Engineering and Bolton & Menk have reviewed the bids opened Thursday, January 11, 2024 for the Wastewater Treatment Plant (WWTP) Grit Improvement project. The project involves:

- Influent flow monitoring
- Vortex grit removal – 2 units
- Motorized gates with manual bypassing
- Grit pumping and dewatering
- Electrical and controls
- Building and associated structures

Engineering received four bids. Engineering is recommending the low bid of \$5,099,000.00 from Wapasha Construction Company, Inc. of Winona, Minnesota. The Engineer's estimate was \$6,000,000.00. Attached is the project award recommendation letter from Bolton & Menk that includes the bid tabulation.

Motion made by Councilor Baker, seconded by Councilor Anderson. On roll call vote, the following councilors voted in favor of said motion: Christensen, Baker, Howland, S. Rasmussen, R. Rasmussen, Anderson, and Mayor Murray. Mayor Murray declared the motion passed.

(See Secretary's Original Resolution 24-027
Included with these minutes)

G. Ordinance 24-104 Amending Chapter 48 – Waterways Article 2. – Docks – Section 48.023. – Community Dock Permits (1st Reading)

The Recreation Department recommends changing the docks ordinance to reflect changes in the insurance industry. Currently, the ordinance requires dock permit holders to name the city as an additional insured party on their liability insurance, which is usually part of their home insurance. Many insurance providers will no longer list the City as an insured party because the City has no financial interest in the home. Staff recommend striking that requirement from the ordinance. Dock permit holders would still need to provide proof of liability insurance.

Recreation staff would also like to change the date for permit applications from April 16 to the second Friday of April to avoid changing the date when the 16th falls on a weekend.

Motion made by Councilor Christensen, seconded by Councilor Howland. On roll call vote, the following councilors voted in favor of said motion: Christensen, Baker, Howland, S. Rasmussen, R. Rasmussen, Anderson, and Mayor Murray. Mayor Murray declared the motion passed.

(See Secretary's Original Ordinance 24-104
Included with these minutes)

MAYOR AND COUNCIL REPORTS:

First Ward, Councilor Christensen reported:

- Ward Items – None
- Committee Update – Blue Zones Leadership committee met with the Chamber worksite wellness group and toured Freeborn Mower Electric last week. Attended business after hours sponsored by Minnesota Freezer Warehouse and also attended the Martin Luther King celebration at Riverland. Encouraged people to become mentors in the community.

Second Ward, Councilor Baker reported:

- Ward Items – None
- Committee Update – Attended the Port Authority/ALEDA meetings a couple of weeks ago. The 79th Annual Greater Jobs meeting is this Thursday at Wedgewood Cove.

Third Ward, Councilor Howland reported:

- Ward Items – Responded to a new home owner’s question. City staff is following up on another item regarding lighting at the Skyline Mall parking lot. Also received several calls in support of the Rec Facilities. Extended his appreciation to the Hockey Association for their financial contribution to the proposed City Arena lobby included in the Rec Facilities plan.
- Committee Update – Mentioned Park & Rec Board members are needed.

Fourth Ward, Councilor S. Rasmussen reported:

- Ward Items – Received several phone calls regarding the Rec Facilities projects.
- Committee Update – Attended a board meeting at the Senior Center where they discussed ride availability in the community. Extended appreciation to Cargill for donating \$750 to pay for the birthday cakes provided monthly. The Senior Center will be making their 23rd casino trip to Treasure Island on February 20th. A health and wellness Expo is scheduled to take place in February. She mentioned a community Parkinson’s Support group that takes place at the Senior Center at 10:00 a.m. every Wednesday.

Fifth Ward, Councilor R. Rasmussen reported:

- Ward Items – Working on a few ward items.
- Committee Update – None

Sixth Ward, Councilor Anderson reported:

- Ward Items – Responded to constituents regarding items associated with the Rec Facilities projects
- Committee Update – Attended the Martin Luther King celebration at Riverland.

MAYOR REPORT:

- Spoke with representatives of St. Thomas University regarding Blue Zones as Dan Buettner is a St. Thomas alumnus.

Attended the following:

- The Martin Luther King celebration at Riverland
- Chamber Business after hours. Thanked Minnesota Freezer Warehouse for their

sponsorship

- The Karen community New Year presentation
- Attended many high school sporting events and encourages all to attend
- ALEDA meeting and provided a review

Mentioned the upcoming events and said the events are also listed on the City's website.

CITY MANAGER REPORT

- Encouraged elected officials to support the referendum
- Has spent the last several weeks reviewing bonding options
- Has been meeting with new and current business owners
- Staff has been working on ordinance changes related to zoning requirements
- Will follow-up to some housing incentive potentials
- Continues to work on a variety of grant options to mitigate site remediation at the Blazing Star property.

APPROVAL OF CLAIMS

A. Resolution 24-028 Approving Claims

(1). Presentation of Claims Over \$25,000

The attached resolution directs the Mayor and City Treasurer to issue the payment of claims as presented in the Detail of Claims report. In addition, Maras displayed a list of claims over \$25,000 for the public's viewing, transparency and education.

Motion made by Councilor Anderson to approve the claims, seconded by Councilor Baker. On roll call vote, the following councilors voted in favor of said motion: Christensen, Baker, Howland, S. Rasmussen, R. Rasmussen, Anderson, and Mayor Murray. Mayor Murray declared the motion passed.

(See Secretary's Original Resolution 24-028
Included with these minutes)

CLOSED SESSION Subject to Minn. Stat 13D.05, subd. 3(c) to discuss sale of City owned property.

At 9:09 p.m. Mayor Murray asked for a motion to move into closed session. Motion made by Councilor Anderson, seconded by Councilor Christensen. On roll call vote, all councilors voted in favor of said motion.

At 9:18 p.m. Mayor Murray announced a motion was made by Councilor Anderson, seconded by Councilor Howland to move out of closed session. He said council directed staff to proceed with the sale of City owned property as discussed.

Councilor Howland motioned for adjournment, Councilor Anderson seconded. 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, February 12, 2024. On roll call vote, all councilors voted in favor of said motion.

Mayor Murray declared the motion passed and the meeting adjourned.

ADJOURNMENT: 9:19 P.M.

Mayor Rich Murray

Daphney Maras
Secretary of the Council