

**REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA
February 12, 2024 - 5:30 P.M.**

PRESENT: Mayor Rich Murray, Councilors Rachel Christensen, Larry Baker, Jason Howland, Sherri Rasmussen, Robert Rasmussen, Brian Anderson, City Manager Ian Rigg, Civil Engineer Chris Lowe, City Attorney Joel 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, City Planner Megan Boeck, Engagement & Enrichment Director Cathy Malakowsky.

ABSENT: Public Works Director Steven Jahnke

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 - None

PUBLIC FORUM – Bruce Manwarren commented on the nice police officers in Albert Lea.

CONSENT AND APPROVAL OF AGENDA

- A. Approve Minutes of the January 22, 2024 Regular Council Meeting
- B. Approve Minutes of the January 22, 2024 Work Session
- C. License & Permits
- D. Appointment of Gina Wadding to the HRA Board
Appointment of Anna Andersen to the Albert Lea Public Library Advisory Board
Appointment of Kent Rahn to the Albert Lea Parks and Recreation Board
- E. Resolution Appointing Election Judges for The March 5th Presidential Nomination Primary Election
- F. Resolution Authorizing FY2028 Blake Avenue (E. Main Street to TH-65) Grant Application
- G. Resolution Accepting Feasibility Report and Calling a Public Hearing at 7:00 PM, March 11, 2024 for the 2024 Alley Reconstruction Project (Job 2405)

Motion made by Councilor Baker to approve the consent agenda as read, 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 24-029 through 24-031

Included with these minutes)

PETITIONS, REQUESTS AND COMMUNICATIONS - None

UNFINISHED BUSINESS

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

Rigg explained the final reading of this Ordinance reflects 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. Dock permit holders would still need to provide proof of liability insurance. Additionally, the date for permit applications will change 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 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 Ordinance 24-104
Included with these minutes)

B. Resolution 24-032 Approving Publication Summary – Ordinance 24-104 – Waterways Article 2. – Docks – Section 48.023. – Community Dock Permits

Ordinance Summaries may be published if they reasonably inform the public of the effect and intent of the Ordinance. Summaries fulfill all legal requirements as if the entire summarized matter had been published and also directs the public how to obtain the complete Ordinance.

Motion made by Councilor S. Rasmussen, 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 24-032
Included with these minutes)

C. Ordinance 24-105 Amending Chapter 32 – Parks and Recreation (1st Reading)

Adopting this resolution will update rules for City of Albert Lea parks to help ensure the safety and enjoyment for everyone using our parks, especially children. Prohibiting cannabis use in parks prompted staff to review all park rules, which have remained the same since 2008. The Council adopted the open bottle ordinance on Dec. 11, 2023, which applies to parks, rec facilities and athletic fields. Since then, city staff and the Parks and Recreation Board have reviewed the current system for allowing alcohol at rented facilities and determined that the system should remain in

place to protect the City from liability such as minors being served. The system requires that parties renting City park facilities hire a business with an on-sale liquor license and the required caterer's permit to serve alcohol.

The other major changes clarify the rules prohibiting cannabis and tobacco; add ATVS, UTVS and dirt bikes to the definition of motor vehicles prohibited in parks except on designated roads and in parking areas; and that a written agreement with the city is needed to store any personal property in parks.

Violators could be charged with a petty misdemeanor. Park users could report violations to Albert Lea police by calling the non-emergency dispatch number at 507-377-5780. The Parks and Rec Board recommends adopting these park rules, as do city staff.

Councilor Howland commented although he is not in favor of people not being allowed to have a beer at a family gathering in a local park as this ordinance addresses, the open bottle ordinance notes the same restriction so he thinks it is a moot point and will vote yes in support of this ordinance.

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 Ordinance 24-105
Included with these minutes)

NEW BUSINESS

A. Public Hearing and Resolution 24-033 Authorizing SCDP Local Income Plan Forgivable Loan for Renovation of LMI Multi-Family Property Located at 213 Main Street East

Mayor Murray opened the public hearing. He called three times. No one spoke. Mayor Murray closed the public hearing.

Rigg said the City of Albert Lea was awarded Small Cities Development Program (SCDP) funds to develop viable, eligible communities and provide suitable living environments by expanding economic opportunities principally benefiting low to moderate income households. As such, Lantis Holdings LLC has applied for SCDP funds to install: siding, windows, soffit, fascia, gutters, garage floor, garage doors, entry door, lighting, HVAC system, and insulation at 213 Main Street East. The attached Agreement authorizes the City Manager to enter into a loan agreement for a maximum amount of \$25,000 (or up to \$12,500 per unit) which is forgivable after five (5) years provided the property isn't sold, transferred or conveyed before the end of the five-year period.

Motion made by Councilor Anderson approved with the addition of adding fund 207 to the resolution, 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 24-033
Included with these minutes)

B. Resolution 24-034 Amending Committing Local Match and Authorizing Contract

On January 22nd the City Council passed Resolution 24-021. This resolution committed a local match and authorized contract signatures as part of Department of Employment and Economic Development grant Application for the Blazing Star Landing. The Resolution inadvertently omitted the following language. *BE IT FURTHER RESOLVED that if the project identified in the application fails to substantially provide the public benefits listed in the application within five years from the date of the grant award, _____ (Applicant) may be required to repay 100 percent of the awarded grant per Minn. Stat. § 116J.575, Subd. 4;* This resolution corrects this omission.

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 24-034
Included with these minutes)

C. Public Hearing and Resolution 24-035 Declaring Property Without Public Purpose and Waiving Planning Commission Review (Corner of Garfield Avenue and East Main Street).

Mayor Murray opened the public hearing. He called three times, no one spoke. Mayor Murray closed the public hearing.

Rigg explained this lot has an offer for purchase and development. In 2023 the City Manager was authorized to see alternative uses to the property commonly referred to as the Blazing Star Landing. The larger area has been marketed for development for more than 10 years. However, investigation into the soil conditions, need for greenspace and looking at modern standards for development has determined some portions of the larger area may still be public purpose, while others may not. This lot sectioned off does not serve any public purpose and would serve the public better as a developed lot privately owned.

To councilor Baker's question, Rigg responded remediation is required on this lot prior to development.

Motion made by Councilor Christensen, 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 24-035
Included with these minutes)

MAYOR AND COUNCIL REPORTS:

First Ward, Councilor Christensen reported:

- Ward Items – None
- Committee Update – Attended the annual ALEDA meeting. Reported on the recent Planning Commission meeting where they discussed the repeal and replacement of the Sign ordinance. This will be presented to council at the next meeting. She commended Wayne Sorensen for his work on the ordinance. Mentioned the upcoming Business After-Hours next week and invited the public to attend. This meeting is sponsored by the Albert Lea Seed House. A meeting will be held in the council chambers next week for residents of Greenwood Ave. related to the proposed street project. She also attended a meeting led by the LMC directed at Council’s role and responsibility as a councilors

Second Ward, Councilor Baker reported:

- Ward Items – None
- Committee Update – Attended a Port Authority/ALEDA meeting recently. Will be attending an HRA and HPC meeting this week.

Third Ward, Councilor Howland reported:

- Ward Items – Thanked city staff for resolving a lighting issue at the Skyline Mall area.
- Committee Update – Attended the Park & Rec. Board meeting last month. He reported the board members are interested in helping to get the referendum passed. He recently toured the Aquatic center to get a visual of what the proposal will cover.

Fourth Ward, Councilor S. Rasmussen reported:

- Ward Items – Attended two different proposed street reconstruction meetings
- Committee Update – Attended the annual ALEDA meeting and her first HRA meeting as a new board member. She will also be attending the upcoming special HRA meeting. Toured the Aquatic center to review the proposed upgrades. Attended the LMC meeting along with Councilors’ Christensen and Anderson. On a personal note, she mentioned she continues to work with Smart Transit to coordinate transportation for Albert Lea residents to their Mayo clinic appointments.

Fifth Ward, Councilor R. Rasmussen reported:

- Ward Items – Working on a couple of ward items
- Committee Update – None

Sixth Ward, Councilor Anderson reported:

- Ward Items – Announced the upcoming meeting related to the 7th Street reconstruction project to be held in the council chambers. He attended the meeting led by the LMC and found it very informative.
- Committee Update – None

MAYOR REPORT:

He detailed the new roll call method that changed as approved in Resolution 24-006 at the January 8, 2024 council meeting.

Attended:

The Albert Lea High School senior scholarship program announcement
ALEDA meeting
Served on a panel of Theresa Netzer's class at the High School
Participated in his first Albert Lea High School Podcast
WWTP meeting
Albert Lea wrestling meet in Owatonna
DNR Trail meeting on February 16th held at the Edgewater Pavilion
City water discharge training session
Met with Superintendent of schools, Rob Wagner
Toured the Aquatic center
Met with Andy Henschel of the Watershed District
Participated in the Big Freeze event
Congratulated the Albert Lea Dance Team for making it to State for the first time

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

CITY MANAGER REPORT

- Will be attending a Shared Services meeting that is tentatively scheduled for this Thursday with County staff
- He and Finance Director will meet with the HRA Director to discuss shared services
- Lobby Day is coming up with the Coalition of Greater Minnesota Cities
- Attended the Ehler's conference and commented that he continues to learn something new at this conference, and participated in a press conference related to Bonding
- Thanked staff for their continued hard work related to the facility upgrades as related to the upcoming referendum

Rigg discussed the prospect of the City and County sharing costs on the Trail Project. He described the area of the proposed trail located inside the City limits. This will be further discussed at the Shared Services meeting with the County on Thursday. He mentioned a resolution will be brought to council at the next council meeting related to the development plan for this trail including the approximate cost of \$300,000, which the County would like to share the cost. Rigg invited councils' questions and/or comments.

APPROVAL OF CLAIMS

A. **Resolution 24-036 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 Baker to approve the claims, 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 24-036
Included with these minutes)

ADJOURNMENT: 7:47 P.M.

Mayor Rich Murray

Daphney Maras
Secretary of the Council