

**REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA
March 11, 2024 – 7:00 P.M.**

PRESENT: Mayor Rich Murray, Councilors Rachel Christensen, Larry Baker, Jason Howland, Brian Anderson, City Manager Ian Rigg, Public Works Director Steven Jahnke, City Attorney Joel Holstad of Lake National Law LLP, and Deputy City Clerk Karla Tukua

ADDITIONAL STAFF PRESENT: Sergeant-at-Arms-Public Safety Director JD Carlson

ABSENT: Councilors Sherri Rasmussen and Robert Rasmussen. City Clerk Daphney Maras.

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

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

CEREMONIAL ITEMS – Mayor Murray read a Proclamation Declaring March as National Women’s History Month.

PUBLIC FORUM

Bruce Manwarren let council know that people were hitting their back tires going over curbs. Lanier Pratt asked about project #2405, he didn’t see it on the agenda. Mayor Murray, let him know where it was on the agenda and that he’d be able to speak at that time.

CONSENT AND APPROVAL OF AGENDA

- A. Approve Minutes of the February 26, 2024 Regular Council Meeting
- B. Approve Minutes of the February 26, 2024 Work Session
- C. License & Permits
- D. Resolution Approving Plans and Ordering of Bids for the 2024 Neighborhood Improvement Project – Job No. 2401
- E. Resolution Approving Plans and Ordering of Bids for the 2024 State Aid Street Overlay Project – Job No. 2402
- F. Resolution Approving Plans and Ordering of Bids for the Marshall Street and Sibley Avenue Reconstruction Project – Job No. 2403
- G. Resolution Approving Plans and Ordering of Bids for the 7th Street & Winter Avenue Reconstruction Project – Job No. 2404
- H. Resolution Designating No Parking on the East Side of Greenwood Drive
- I. Resolution Approving Donation of a Bench Along Blazing Star Trail by Pat Levisen
- J. Resolution Approving Purchase of Main Pumping Station Rotating Unit and Front Head (SEW-E-24-01)
- K. Resolution Authorizing City of Albert Lea and Albert Lea Township to Enter into Agreement for Fire Protection Services

- L. Resolution Authorizing City of Albert Lea and Pickerel Lake Township to Enter into Agreement for Fire Protection Services
- M. Resolution of Application to the Minnesota Public Facilities Authority Drinking Water State Revolving Fund for Lead Service Lines Replacement Project Grant Funding (Job 2412)
- N. Resolution Authorizing an Agreement with the City of Austin Regarding Federal Aviation Administration Airport Improvements Non-Primary Entitlement Funds for the Albert Lea Municipal Airport

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

(See Secretary's Original Resolutions 24-045 through 24-055
Included with these minutes)

Councilor Baker asked that the agreement for fire protection be elaborated on. City Manager Rigg explained that the Townships are not within the legal boundaries of the City, which is why a contract is drawn up for the City to provide fire protection services to townships requesting this.

PETITIONS, REQUESTS AND COMMUNICATIONS - None

UNFINISHED BUSINESS

A. Ordinance 24-106 Amending Chapter 42, Article III – Traffic and Vehicles (2nd Reading)

Rigg explained that this minor amendment is a clarification as to when an RV parking area must be paved or not paved. Staff recommends approval of this final reading.

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

(See Secretary's Original Ordinance 24-106
Included with these minutes)

B. Ordinance 24-107 Amending Chapter 50, Article 1 – Zoning – Accessory Buildings, Fences, and Site Appurtenances (2nd Reading)

Rigg stated this final reading of this amendment affects Sec. 50.0018 of this chapter as it pertains to fence height in residential zones. The amendment would allow a change from three feet to four feet in height if see through material such as chain link is used. This also aids in households with children and pets. Staff recommends approval of this final reading.

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

(See Secretary's Original Ordinance 24-107
Included with these minutes)

C. Ordinance 24-108 Amending Chapter 50, Article III – Division 8 – Districts (2nd Reading)

Rigg said that Article III, Division 8 of Chapter 50 pertains to personalized storage or mini warehousing, and design standards. Past enforcement and discussion on industrial type warehousing has been inconsistently administered. B-2 design standards do not work well with the typical warehouse structure. This amendment would clarify the type of warehouse allowed and the standards that would apply. Additionally, language is clarified as it relates to design standards, building materials, and screening requirements. Staff recommends approval.

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

(See Secretary's Original Ordinance 24-108
Included with these minutes)

D. Ordinance 24-109 Amending Chapter 50, Article III – Division 22 (2nd Reading)

Rigg explained this article pertains to building design standards in the Diversified Central District (DCD). This amendment would allow for some modern metal building materials to be allowed if aesthetically compliant with the intent of the ordinance. Staff recommends approval.

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

(See Secretary's Original Ordinance 24-109
Included with these minutes)

E. Ordinance 24-110 Amending Chapter 50, Article III – Shoreland Management District (2nd Reading)

Rigg stated that since the annexation of the land adjacent to Pickerel Lake, the Shoreland Ordinance has not been up to date. This amendment includes the lake in the ordinance and makes one stipulation for a permit requirement for any work within the "Shore Impact Zone." (37 ½ feet). Staff recommends approval.

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

(See Secretary’s Original Ordinance 24-110
Included with these minutes)

F. Ordinance 24-111 Repealing and Replacing in its Entirety – Chapter 50, Article IV – Signs (2nd Reading)

Rigg explained this is a complete replacement of the ordinance for signs that current staff consider to be inconsistent, cumbersome, and incomplete as it relates to current signage practices and requests. Staff recommends approval.

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

(See Secretary’s Original Ordinance 24-111
Included with these minutes)

G. Resolution Approving Publication Summary – Ordinance 24-106, 24-107, 24-108, 24-109, 24-110, 24-111

Rigg said the 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. Staff recommends approval to publish an Ordinance Summary for Ordinance 24-106, 24-107, 24-108, 24-109, 24-110, 24-111.

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

(See Secretary’s Original Resolution 24-056
Included with these minutes)

NEW BUSINESS

A. Public Hearing and Resolution Ordering Improvement and Preparation of Plans for the 2024 Alley Reconstruction Project – Job 2405 (Extend hearing to March 25th)

A public hearing is being held for public input for City Job No. 2405.

Rigg stated the ten-day mailed notice and two week published notice of this meeting was not completed in the time required to meet the 429 process. Because of this staff is recommending to open the meeting and continue it until the March 25, 2024 council meeting. This will allow for the correct notices.

The proposed project calls for the reconstruction of several downtown area alleys (approximately 840 total feet). Proposed work will include complete removal and replacement of the pavement and repairs to sanitary sewer manholes within the project area. The alleys proposed for reconstruction with this project are between Elizabeth Avenue and Newton from Clark Street to College Street.

The new pavement is proposed to be a concrete surface and will be dish-shaped to channel water to the center and then carried out to the street.

The existing pavements are in very poor condition and are deteriorated past the point where routine maintenance practices are effective.

Assessments will be levied to the benefiting properties based upon removing and replacing the existing alley pavements to the same 20-foot width with a 6" thick concrete pavement. The proposed preliminary assessment rate is \$120.80 per alley foot.

There are 16 properties proposed to be assessed as part of this project. A preliminary assessment roll is available. Following the assessment policy, the assessments will be over 10 years. The interest rate will be based on bonding in 2024.

The estimated project cost is \$274,623.76 and would be paid for with assessments, sanitary sewer funds, and City bonding funds.

The neighborhood meeting was held on March 7, 2024 to discuss with the impacted residents and businesses.

Mayor Murray asked if anyone would like to speak, to which Lanier Pratt came to the podium and stated that the property owners were not given enough notice to base a decision on this project. He stated that it's nice this was being held over until the March 25th meeting.

No action taken, meeting is open until March 25, 2024.

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

B. Resolution with Freeborn County Consent and Cost Share Marshall Street & Sibley Avenue Reconstruction Project (Job 2403)

Rigg said that Sibley Avenue and the portion of Marshall Street from Bridge Avenue to Sibley Avenue are roadways under the jurisdiction of Freeborn County. The City of Albert Lea and Freeborn County will partner to complete this project. The City will act as the lead agency and will be in charge of project design, the bidding process, and construction oversight. Freeborn County would then reimburse the City for the construction and engineering costs with the estimated amounts outlined in the feasibility report.

This item would acknowledge concurrence with the planned project with Freeborn County. It also formalizes the cost share that is based on the estimated cost share broken down in the feasibility report. The actual cost share will be based on final numbers but this acknowledges that we agree on the cost share breakdown.

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

(See Secretary's Original Resolution 24-057
Included with these minutes)

MAYOR AND COUNCIL REPORTS:

First Ward, Councilor Christensen reported:

- Ward Items – No specific ward items, but stated she wanted to put an exclamation point on what Councilor Anderson said. She stated it's very important that residents reach out to our representatives and let them know how important our Waster Water Treatment funding is. Reach out as you are able.
- Committee Update – None

Second Ward, Councilor Baker reported:

- Ward Items – None
- Committee Update – Attended the One Watershed One Plan meeting. Attended the ALEDA meeting and expressed that there is a lot of interest in Albert Lea. Attended the Referendum meeting at the City Arena last Thursday. Will be attending an HPC meeting tomorrow, Tuesday, and will be at the Referendum meeting at the Marion Ross Theater next week. Baker thanked the staff for taking care of removing couches on 1st Avenue. Neighborhood was very appreciative.

Third Ward, Councilor Howland reported:

- Ward Items – He had one Ward item that he reached out to City Manager on.
- Committee Update – None

Fourth Ward, Councilor S. Rasmussen reported: ABSENT

Fifth Ward, Councilor R. Rasmussen reported: ABSENT

Sixth Ward, Councilor Anderson reported:

- Ward Items – Working on one ward item with City Manager.
- Committee Update – None, but did attend League of Minnesota Cities lobbying day. Met with Peggy Bennett and Gene Dornink. Spent a lot of time talking about the Wastewater

Treatment Plant and asked constituents to call their legislators to let them know how important this is to our community.

MAYOR REPORT:

Attended the following:

- Chamber of Commerce March meeting, gave them a run down of the referendum coming up.
- Attended the Orrie Jirele fundraising night at Albert Lea Highschool. Let Council know that he got called down to make a free throw, foul shot and a three pointer, he made all three. They raised some good money, it was a lot of fun.
- Met with the ALEDA Director during the Port Authority and ALEDA meeting this week, and then separately to go through potential projects. Murray expressed that there are exciting things happening.
- Met with Andy Henschel from the Watershed and attended the noon Lions meeting last Thursday, gave them both an update on the referendum.
- Spoke at the School Board meeting last Thursday evening and gave them a presentation on the referendum.
- Attended the last portion of the Arena open house to discuss the referendum this past Thursday.
- Friday he was part of the Primary Canvassing Board.

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

CITY MANAGER REPORT

- Spending time talking with legislators and emailing them in regards to Wastewater Treatment Plan funding. Spending time with key staff and with federally elected representatives.
- The City did receive a million dollars that was assigned to the Waste Water Treatment plant.
- He stated he continues to spend time on economic development and grant application for federal money.
- He's waiting to hear back on an individual's house needing repair.

APPROVAL OF CLAIMS

A. Resolution 24-044 Approving Claims

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

Rigg mentioned 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, Tukua 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 Christensen. On voice vote, the following councilors voted in favor of said motion: Christensen, Baker,

Howland, Anderson, and Mayor Murray. Mayor Murray declared the motion passed.
(See Secretary's Original Resolution 24-058
Included with these minutes)

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

At 7:29 p.m. Mayor Murray asked for a motion to move into closed session. Motion made by Councilor Baker, seconded by Councilor Christensen. On voice vote, all councilors voted in favor of said motion.

At 8:06 p.m. Mayor Murray announced a motion was made by Councilor Anderson, seconded by Councilor Christensen to move out of closed session. He said council discussed properties located by Home Depot, Hwy 13 and the Blazing Star Landing.

Councilor Christensen motioned for adjournment, Councilor Howland 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, March 25, 2025. On voice vote, all councilors voted in favor of said motion.

Mayor Murray declared the motion passed and the meeting adjourned.

ADJOURNMENT: 8:07 P.M.

Mayor Rich Murray

Karla Tukua
Secretary Pro Tem