

**REGULAR COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA**  
**April 8, 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, Public Works Director Steven Jahnke, City Attorney Joel Holstad of Lake National Law LLP, and City Clerk Daphney Maras.

**ADDITIONAL STAFF PRESENT:** City Planner Megan Boeck, Sergeant-at-Arms-Public Safety Director JD Carlson.

**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** – None

**CONSENT AND APPROVAL OF AGENDA**

- A. Approve Minutes of the March 25, 2024 Regular Council Meeting
- B. Approve Minutes of the March 25, 2024 Work Session
- C. License & Permits
- D. Resolution Accepting Bid and Awarding Contract for the Academy Park and the Fairway Raingarden Construction Project – Job 2318
- E. Resolution Approving Plans and Bidding for the MNDOT Front & Broadway Signal and Margaretha & Broadway Signal Project
- F. Resolution Relinquishing MN DEED Contamination Cleanup and Investigation Grant

Rigg explained the City of Albert Lea applied for a MN DEED Contamination Cleanup and Investigation Grant for the remediation of the Blazing Star Apts. Phase II. The grant application was approved by Resolution 22-234 which required an end user and a completed development by December 30, 2025. Due to unstable markets and the lack of financing options, the developer is unable to commit to the terms of the grant and unwilling to sign a development agreement. In order to remain in good standing with MN DEED for future applications, the City should relinquish the grant funds with the plan to reapply for future grant cycle. Staff recommends approval of the attached Resolution Relinquishing Grant Funds.

- G. Resolution Rejecting Bids for Blazing Star Phase II Response Action Plan Implementation Project – Job 2407

Rigg said City Engineering and Braun Intertec have reviewed the bids opened Tuesday, February 20, 2024 for the Blazing Star Phase II Response Action Plan Implementation Project. The proposed project involves excavation and disposal of contaminated soil, and import and placement of clean soil throughout the site.

Engineering received four bids. The low bid of \$798,868.00 was submitted by Larson Contracting Central LLC of Lake Mills, Iowa. The bid abstract is attached. The Engineer's estimate was \$868,000.

Because the developer is not able to proceed at this time, the Deed funds will be returned and the bids will be rejected.

- H. Resolution Approving Gambling Permit – Confidence Learning Center at Eagles Club
- I. Resolution Accepting Donations as Presented to the City of Albert Lea
- J. 2024 Hometown Pride Cleanup Day, April 27, 2024

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 24-064 through 24-069  
Included with these minutes)

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

##### **A. Presentation and Resolution 24-070 Approving Purchase of Playground Equipment, Construction of Playground Surface, and Assembly of Equipment for the “All Together Albert Lea Inclusive Playground” – Job 2316**

The All Together Albert Lea Inclusive Playground group has been fundraising for an inclusive playground which will be donated to the City of Albert Lea. The group has previously presented this project to the City Council and tonight, committee members Sara Stultz and Kara Paulson provided an update in the public forum tonight. The City supports this project and has contributed towards this project.

On May 10, 2023 the City agreed to fund \$350,000 toward the inclusive park and entered into an agreement with the All Together Inclusive Playground group. Larson Contracting was also hired as the construction manager at that time. The project now has adequate funding to proceed with the project.

This resolution would approve an agreement between the City of Albert Lea and Landscape Structures for the playground equipment and another agreement with Flagship Recreation to perform construction of the play surface and assembly of the equipment. These contracts are being executed to utilize the state bid contract pricing on certain items which can only be done by a governmental agency.

**Cost:**

\$318,981.78 Playground Equipment from Landscape Structures

\$426,452.35 Surface Construction & Equipment Assembly from Flagship Recreation

The Freeborn County Chamber Foundation is acting as the non-profit fiscal agent for All Together Albert Lea Inclusive Playground group. The Freeborn County Chamber Foundation will reimburse the City for any purchases made for this inclusive playground.

Motion made by Councilor Howland, 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 24-070  
Included with these minutes)

**UNFINISHED BUSINESS**

**A. Resolution 24-071 Ordering Improvement and Preparation of Plans for the 2024 Alley Reconstruction Project – Job 2405**

A public hearing was called for City Job No. 2405 on March 11, 2024 and was held on March 25, 2024.

The proposed project calls for the reconstruction of 840' of alleys between Elizabeth Avenue and Newton Avenue 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. Highest assessment after side credit is \$14,222.32, the lowest is \$2,691.42 and an average of \$8,603.04.

There are 16 properties proposed to be assessed as part of this project. A preliminary assessment roll is attached to this report. The neighborhood meeting was held on March 7, 2024 to discuss with the impacted residents and businesses. No property owner showed to the meeting, most expressed support for the work being done. 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 (\$137,648.57), sanitary sewer funds (\$60,416.00), and City bonding funds (\$76,559.19).

In order to use assessments as a funding source for bonding on this project 4/5 of the Council must vote in favor of proceeding. After the public hearing on March 25<sup>th</sup>, Council voted down the resolution requiring a super-majority. Staff was asked to bring this back to the Council.

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 24-071  
Included with these minutes)

**NEW BUSINESS**

**A. Resolution 24-072 Approving Professional Services Agreement with Braun Intertec for the Preparation of Plans & Specifications for the NE Corner of the Blazing Star Landing – Job 2413**

The attached resolution would approve a professional service agreement with Braun Intertec for the preparation of plans and specifications for the Environmental Remediation of the Blazing Star Landing, NE Corner.

In October of 2023 the City applied for a Deed Cleanup Grant and was awarded that grant in March of 2024. This grant will pay approximately \$174,036 of the estimated \$483,210 environmental clean-up project. This professional services agreement would prepare the plans and specifications for bidding this remediation project.

The plans and specifications would be completed this spring, and the project would be advertised early summer with construction occurring summer and early fall in order to have the site ready for development in late 2024. Staff is recommending approval of the professional services agreement with Braun Intertec.

Motion made by Councilor Anderson, 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 24-072  
Included with these minutes)

**B. Ordinance 24-112 Repealing and Replacing in Its Entirety – Chapter 24 – Historical Preservation (1<sup>st</sup> Reading)**

The Heritage Preservation Guideline Update includes an Ordinance meant to repeal and replace the existing Chapter 24 on Heritage Preservation—because so much of what is in the guidelines is also in ordinance, an amendment was required. Staff recommends approval of Ordinance Repealing Chapter 24 and Replacing in its entirety.

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 Ordinance 24-112)

Included with these minutes)

### **C. Resolution 24-073 Adopting the Heritage Preservation Guideline Update**

City Planner Boeck displayed a slideshow outlining the guidelines. She explained In January of 2023 city staff applied for and was awarded a Certified Local Government (CLG) Grant from the State Historic Preservation Office (SHPO) to update the local heritage preservation guidelines which were outdated and difficult for property owners to utilize. MacDonald and Mack-Pigeon Consulting were the chosen consultant to work with staff and the Heritage Preservation Commission throughout the last year.

The updated guidelines outline the Secretary of the Interiors four standards for treating historic properties— including preservation, rehabilitation, reconstruction and restoration. In addition, the updated guidelines include a process for administrative or staff approvals, significant resources on acceptable modern materials, updates to the distract map and non-contributing properties within—all of which are meant to streamline the process from project inception to final approval.

Lastly, the final guideline document was emailed to Council on March 15<sup>th</sup> and posted to the City's website on April 4<sup>th</sup>.

[https://cityofalbertlea.org/wp-content/uploads/Albert-Lea-Design-Guidelines\\_2024.pdf](https://cityofalbertlea.org/wp-content/uploads/Albert-Lea-Design-Guidelines_2024.pdf)

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 24-073  
Included with these minutes)

### **MAYOR AND COUNCIL REPORTS:**

First Ward, Councilor Christensen reported:

- Ward Items – None
- Committee Update – Shout out to the organizers of the Humane Society fundraiser as well as to the residents who participated. Acknowledged the Memory Café supported by the Chamber of Commerce and described the services provided. Encourages residents to vote in the referendum tomorrow.

Second Ward, Councilor Baker reported:

- Ward Items – Referred a couple ward items to the City Manager.
- Committee Update – Attended the HRA Board meeting and commented on the positive results brought forth with the new director on-board. Attended the ALEDA meeting last week and reported there are a lot of great things happening behind the scenes moving Albert Lea in the right direction. Talked with a resident about the upcoming referendum. Said the recent council retreat was one of the best he has attended thus far.

Third Ward, Councilor Howland reported:

- Ward Items – None
- Committee Update – Attended the CVB Board meeting and reported they are adding a couple of new board members. Attended the council retreat and concurred with Councilor Baker in that it was a productive meeting. Encourages residents to vote in the referendum tomorrow. Announced Albert Lea Community Theatre has open auditions for the upcoming musical Fiddler on the Roof.

Fourth Ward, Councilor S. Rasmussen reported:

- Ward Items – Thanked residents for their support in recent fundraising efforts for the Humane Society and the All-Inclusive Playground.
- Committee Update – Attended the HRA Board meeting last week and commended the new Director in her capacity.

Fifth Ward, Councilor R. Rasmussen reported:

- Ward Items – Working on a couple of ward items.
- Committee Update – Attended the recent council retreat and found it beneficial. Encourages residents to vote in the referendum tomorrow. Commended the All-Inclusive Play Park committee members for their presentation this evening.

Sixth Ward, Councilor Anderson reported:

- Ward Items – None
- Committee Update – Attended the HRA Board meeting last week and concurs with the service of the new HRA Director, Debra Mitchell. Attended the recent council retreat and appreciated all the information. Encourages residents to get out and vote in the referendum tomorrow.

### **MAYOR REPORT:**

Attended the following:

- Freeborn Mower Cooperative annual meeting
- Provided a presentation at the AL Family Y regarding the referendum
- Attended ALEDA Special Projects Meeting, as well as the regular ALEDA meeting last Wednesday
- He and City Manager Rigg went to the State Capital and met with the Director of DEED in the Governor's office
- Concurred the Council Retreat meeting was very beneficial
- Presented at the Noon Kiwanis meeting today at Wedgewood Cove

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

### **CITY MANAGER REPORT**

- Commended council and staff for their participation in the recent Council Retreat meeting
- Staff is working with HRA in an administrative capacity and will continue assisting
- Next Work Session will include presentations from the Fire Department and the Library
- Spoke of the meeting he and Mayor attended with the Director of Deed at the State Capital last week

- Currently reviewing organizational structures within City Departments
- Hometown cleanup is scheduled April 27<sup>th</sup> at the Albert Lea Transfer Station. Invited council members to assist at the landfill that day with unloading vehicles.
- Spoke of the positive activity in the City over the last 4-5 years including new Apartment complexes and businesses, as well as the revamped/reused buildings in the downtown area.

**APPROVAL OF CLAIMS**

**A. Resolution 24-074 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 Christensen, 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 24-074  
Included with these minutes)

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, April 22, 2024. On roll call vote, all councilors voted in favor of said motion.

Mayor Murray declared the motion passed and the meeting adjourned.

**ADJOURNMENT: 7:52 P.M.**

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Mayor Rich Murray

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Daphney Maras  
Secretary of the Council