

**REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA
July 22, 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 City Clerk Daphney Maras.

ABSENT: Councilor Robert Rasmussen

ADDITIONAL STAFF PRESENT: 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 July 08, 2024 Regular Council Meeting
- B. Approve Minutes of the July 08, 2024 Work Session
- C. License & Permits
- D. Resolution Approving Shell Rock – Winnebago Comprehensive Watershed Management Plan Amended Sub-Agreement – Job 1908
- E. Resolution Authorizing the City of Albert Lea to Submit a Point Source Implementation Grant Application to the Minnesota Public Facilities Authority (PFA) for the Wastewater Treatment Facility (WWTF) Improvement Project – Job 2108
- F. Resolution Authorizing Safe Routes to Schools Grant Agreement for the 2024 State Aid Street Overlay Project – Job 2402
- G. Resolution Approving Purchase of One International Single Axle Plow Truck

Motion made by Councilor Baker to approve the consent agenda as read, seconded by Councilor Howland. On roll call 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 24-134 and 24-137
Included with these minutes)

PETITIONS, REQUESTS AND COMMUNICATIONS – None

UNFINISHED BUSINESS

- A. Ordinances Amending Chapter 50 Article X, Sections 50.1036, 50.1038, 50.1039 and 50.1040 Related to Construction and Permanent Stormwater Management Procedures – 2024

Misc.194.

The National Pollution Discharge Elimination System (NPDES) permit program is part of the Clean Water Act, which controls water pollution by regulating point sources that discharge pollutants into waters of the United States. The City has been part of the program since the early 2000's. The City recently entered into a new 5-year permit cycle and as part of the new permit, there are additional requirements of the city which include the following ordinance amendments:

A.1 Ordinance 24-122 Amending Section 50.1036 Stormwater Management Procedures (2nd Reading)

This amendment includes changes to the application process in which property owners have 7 days to SWPPP if there is a change in design, operation, maintenance, or if weather and seasonal conditions have a significant impact on the discharge of pollutants to surface or ground waters.

Motion made by Councilor Howland to approve as read, seconded by Councilor Anderson. On roll call 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 24-122
Included with these minutes)

A.2 Ordinance 24-123 Amending Section 50.1038 Permanent Stormwater Management Requirements (2nd Reading)

This amendment adds the requirement that the SWPPP document must detail that at least three feet of the soil above where seasonally saturated soils or bedrock must consist of undisturbed soils.

Motion made by Councilor Baker to approve as read, seconded by Councilor Howland. On roll call 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 24-123
Included with these minutes)

A.3 Ordinance 24-124 Amending Section 50.1039 Construction Site Erosion Prevention and Sediment Control Requirements (2nd Reading)

This amendment adds the requirement that temporary soil stockpiles on construction sites must have an effective perimeter in place *prior* to commencing stockpiling activities. In addition, all dewatering discharges must be inspected and photographed at the beginning and continuing every four hours during operations.

Motion made by Councilor Anderson to approve as read, seconded by Councilor Howland. On roll call 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 24-124
Included with these minutes)

A.4 Ordinance 24-125 Amending Section 50.1040 Small Construction Sites (2nd Reading)

This amendment adds the requirement that all stockpiles on small construction sites (sites that disturb less than one acre of land but more than 2,500 sq. ft.) have an effective perimeter control in place *prior* to commencing stockpiling activities.

Motion made by Councilor Baker to approve as read, seconded by Councilor Howland. On roll call 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 24-125
Included with these minutes)

B. Resolution 24-138 Approving Publication Summary – Ordinance 24-122, 24-123, 24-124, and 24-125

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 24-122, 24-123, 24-124, and 24-125.

Motion made by Councilor Christensen to approve as read, seconded by Councilor Anderson. On roll call 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 24-138
Included with these minutes)

NEW BUSINESS

A. Ordinance 24-126 Repealing Part II - Chapter 14 Elections Section 14.001 through Section 14.004 in its Entirety (1st Reading)

This ordinance is being repealed in its entirety as the city does not have a ballot counting board. The Auditor/Treasurers office handles all absentee balloting processes. Additionally, in 2022 the City of Albert Lea redistricted and reestablished the boundaries by Resolutions 22-047 (Ward 1), 22-048 (Ward 2), 22-049 (Ward 3), 22-050 (Ward 4), 22-051 (Ward 5), and 22-052 (Ward 6), thereby annulling this ordinance.

Motion made by Councilor Howland to approve as read, seconded by Councilor Anderson. On roll call 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 24-126
Included with these minutes)

B. Resolution 24-139 Accepting Donations as Presented to the City of Albert Lea – Friends of the Library

The Friends of the Albert Lea Public Library raise non-profit funds for programs and equipment not covered by the general library budget. The Friends of the Albert Lea Public Library raise the funds through the Fountain Lake Bookstore, two book sales throughout the year, membership fees, and general donations. From January through May 2024, the Friends of the Albert Lea Public Library donated a total of \$1,945.75. The funds were used for the programs and equipment listed on the included sheet. Without the generous donations from the Friends of the Albert Lea Public Library, many of the library's programs and services would not be possible.

Motion made by Councilor Christensen to approve as read, seconded by Councilor Howland. On roll call 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 24-139
Included with these minutes)

C. Resolution 24-140 Replacing 15 Minute Parking Signage With 2 Hour Signage on Broadway Avenue – Fountain Street to Main Street.

In 2024 the City has received requests from two different businesses on Broadway Avenue to install two 15-minute parking signs in front of two separate buildings (4 signs total). Prior to these requests, the parking on Broadway Avenue was last reviewed and changed as part of the Broadway reconstruction project in 2013. With the exception of two 15-minute parking stalls at the SE and SW corner of Broadway and Clark, Broadway is currently posted with "2 HR Parking 7:00am to 5:00 pm" and "No Parking 2:00 am to 6:00 am. There are handicap signs located in all stalls directly next to the intersection.

Anticipating storefront changes, the addition of 15-minute parking for each request will lead to significant amount of 15 -minute parking instead of 2-hour parking. The intent of public parking in a retail or commercial district in a downtown is for people to park and visit multiple locations over a few hours. Adding more 15-minute stalls is contrary to that intent.

It is already difficult to enforce 2-hour parking and 15-minute parking enforcement would require staff dedication for parking alone. Historically staff have noticed that when parking is regularly enforced, often business owners or staff are the ones violating the time limits. Adding more 15-minute stalls does not improve parking and keeping most 15-minute parking is contrary to a multi-stop, walk and shop downtown. Staff recommends removing the two 15-minute parking stalls on Broadway Avenue.

Motion made by Councilor Anderson to approve as read, seconded by Councilor Howland. On roll call 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 24-140
Included with these minutes)

D. Resolution 24-141 on Method to Fill 4th Ward Vacancy

When making a motion, it is advised to make it with either 1a or 1b as the intended method of filling the vacancy and as described within the resolution. To date the City Manager knows of two inquiries. First has been about why we cannot hold an election. Only one person has expressed interest directly to the City Manager. The Mayor has been notified of that person's interest. In the interest of time, the City Manager recommends a Mayoral appointment process with Council approval. This will be the fastest method that removes staff involvement.

Motion made by Councilor Baker to approve the Mayor to appoint a qualified individual to fill the 4th Ward Council vacancy at the next council meeting on August 12, 2024, seconded by Councilor Anderson. On roll call 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 24-141
Included with these minutes)

E. Resolution 24-142 Authorizing the Emergency Repairs to the Sewer Force Main.

Rigg explained on June 23, 2024 due to excessive rain event, the City of Albert Lea 36-inch force main broke, discharging untreated wastewater into an open field. The City and Jensen's Excavating worked overnight and built a temporary dam to contain the wastewater and allow it to continue to the Wastewater Treatment Plant.

Public works has been working diligently to design a repair and get quotes for equipment and for construction of the permanent repairs. The total repair is estimated to be in the range of \$315,000 to \$825,000.

The force main break constitutes an immediate danger or hazard which, if not immediately abated, will endanger the health and safety of the public and there is insufficient time to follow the procedures of the competitive bidding process.

This resolution authorizes the City Engineer to immediately begin contract work in order to make permanent repairs to the sanitary sewer force main. All eligible costs will be submitted to FEMA for reimbursements and any costs not covered by FEMA will be paid out of fund 602.

Councilor Anderson mentioned that the fact that a lot of the residents in Albert Lea were not even aware that this is happening right now as an emergency situation, is credit to staff of the Public Works Department that has been taking care of the situation. Additionally, Anderson said he doesn't want the public to think that staff has been provided an open checkbook for repairs as he spoke of the importance of providing the large estimation for cost repairs.

At Councilor Howland's request, Public Works Director Jahnke provided detailed description of what happened to the sewer pipe as well as how it will be repaired and the importance of repairing as soon as possible while following a competitive bid process.

Motion made by Councilor Baker to approve as read, seconded by Councilor Howland. On roll call 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 24-142
Included with these minutes)

MAYOR AND COUNCIL REPORTS:

First Ward, Councilor Christensen reported:

- Ward Items – Will be gathering information related to the cat issues in the community. The Greenwood Dr. project is beginning and she said information is available on the City's website and the Albert Lea Week-Lea.
- Committee Update – Congratulated Senior Resources on their new location.

Second Ward, Councilor Baker reported:

- Ward Items – The City Manager is looking into a couple of items on Baker's behalf.
- Committee Update – Attended a recent ALEDA meeting.

Third Ward, Councilor Howland reported:

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

Fourth Ward -Vacant

Fifth Ward, Councilor R. Rasmussen reported: ABSENT

- Ward Items –
- Committee Update -

Sixth Ward, Councilor Anderson reported:

- Ward Items – Working on a couple of ward items.
- Committee Update – Will be attending his first budget meeting tomorrow.

MAYOR REPORT: Attended the Following:

- Attended the ground breaking for the All-Inclusive Park
- On July 11th participated in the Stars Mentoring Grill-Out where his team brought home the 1st Place trophy.
- Visited the Nextstep Clubhouse located on S. Washington Ave. This is a safe place for people with mental illness to socially gather.
- Attended the American Legion Riders event last Sunday. 98 motorcycles participated.
- Chamber Business after-hours meeting. Many businesses spoke of the struggle to hire people. They believe lack of housing is a big issue.
- Thursdays on Fountain
- Albert Lea Freeborn County Tractor Group at the Fairgrounds and Moose Lodge.

- ALEDA meeting where they have been talking about a number of projects including a couple of new businesses
- Albert Lea Chamber golf outing took place this afternoon.

Announced upcoming events within the City and encouraged the community to participate.

CITY MANAGER REPORT:

- Working on the CIP and will be reviewing the budget with the committee on Thursday. He commended staff for the dedication and efforts
- Participated in the Stars Mentoring cookoff and spoke of the services offered by Stars Mentoring.
- Met with the City's Health Care Insurance Coop.
- Staff continues to work on the Cannabis ordinance with the guidance from the Office of Cannabis Management.
- Spoke of the assets Albert Lea provides for the community and can offer to residents who choose to live here.

APPROVAL OF CLAIMS

A. Resolution 24-143 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, Anderson, and Mayor Murray. Mayor Murray declared the motion passed.

(See Secretary's Original Resolution 24-143
Included with these minutes)

Councilor Howland motioned for adjournment; Councilor Christensen 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, August 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: 7:37 P.M.

Mayor Rich Murray

Daphney Maras
Secretary of the Council