

**REGULAR COUNCIL MEETING  
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA  
August 26, 2024 – 7:00 P.M.**

**PRESENT:** Mayor Rich Murray, Councilors, Larry Baker, Reid Olson, 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.

**ABSENT:** Councilor Rachel Christensen and Jason Howland

**ADDITIONAL STAFF PRESENT:** Sergeant-at-Arms Public Safety Director JD Carlson, Engagement & Enrichment Director Cathy Malakowsky, City Planner Megan Boeck

**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.

**PUBLIC FORUM**

Colin Minehart addressed the zoning ordinance related to cannabis on the council agenda. He explained his business is planning on converting their restaurant into a cannabis dispensary. Minehart spoke of the distance of his business to a daycare in the area as well as the size of signage as proposed in the ordinance.

Bruce Manwarren said this is the season for walking beans for the Farmers.

**CONSENT AND APPROVAL OF AGENDA**

- A. Approve Minutes of the August 12, 2024 Regular Council Meeting
- B. Approve Minutes of the August 12, 2024 Work Session
- C. License & Permits
- D. Resolution Approving No Parking on St. Peter Ave. from SE Marshall St. to 150 Feet South (Both Sides)

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

(See Secretary's Original Resolution 24-148  
Included with these minutes)

**PETITIONS, REQUESTS AND COMMUNICATIONS**

- A. Presentation by Freeborn County Trail Association

Members of the Freeborn County Trail Association, Kristin McGivern and Cathy Malakowsky displayed a PowerPoint outlining the details of the proposed bike shelter at Frank Hall Park. The estimated cost of the shelter is \$70,200 of which the Association plans to fundraise. Malakowsky said the Parks Department would oversee placement, construction, and maintenance and the Shelter would belong to the City of Albert Lea. The slides detailed the building concepts and exact location, as well as a detailed outline of the budget and proposed timeline. The goal is to have the shelter built by spring-summer 2025. Council extended appreciation for the efforts put forth by the Trail Association.

**UNFINISHED BUSINESS** – None

**NEW BUSINESS**

**A. Resolution 24-149 Authorizing Broadway Ridge Grant Agreement with J.A. Expressions LLC, 123 S. Broadway**

J.A. Expressions LLC, 123 S. Broadway, submitted a Broadway Ridge Grant for reimbursement up to 50% of costs associated with new windows and store front door. The total improvement cost is \$23,716.73 which will provide the applicant with a 50/50 match grant per policy of \$11,858.37. All improvements have been completed and reviewed by the City's Zoning and Building Official for compliance with application requirements.

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

(See Secretary's Original Resolution 24-149  
Included with these minutes)

**B. Resolution 24-150 Approving Bicycle Shelter at Frank Hall Park**

The Albert Lea Parks and Recreation Board recommends a proposal for a bicycle shelter at Frank Hall Park, as presented and funded by the Freeborn County Trail Association. The trail association plans to raise all the money for the project, estimated to cost \$70,200 with about half raised so far. The shelter would support walking and biking in Albert Lea with shade, seating, maps of local trails and routes, along with promoting local events and amenities. The Parks Department would oversee placement, construction and maintenance of the shelter.

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

(See Secretary's Original Resolution 24-150  
Included with these minutes)

**C. Ordinance 24-127 Amending Chapter 50: Zoning on Cannabis, Off-Sale Liquor,**

## **Tobacco & Sexually Oriented Businesses**

This is the first reading and the concepts are largely the same as it has been presented the last few months. Staff studied and worked on creating parity between similar businesses or products that impact neighboring properties or impact minors similarly, but are legal. Additionally, the changes in this zoning ordinance and future businesses licensing ordinance changes will account for the state statute protections to conduct business in Albert Lea.

Staff worked diligently to create harmony and balance within conflicting needs or views about locations and design standards of certain businesses. All businesses have ample location possibilities without concentration in one area. On August 20<sup>th</sup> the Planning Commission recommended passage of the zoning changes. The Zoning Official provided a memorandum on some technical changes since Planning Commission and it was shared with the Council at the work session.

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

(See Secretary's Original Ordinance 24-127  
Included with these minutes)

## **D. Resolution 24-151 Accepting Donations as Presented to the City of Albert Lea**

The City of Albert Lea is generally authorized to accept donations pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens. The following donations as submitted for Council review and approval.

- Alden Area Activities Association Morin Lake Days – Albert Lea Police Reserves

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

(See Secretary's Original Resolution 24-151  
Included with these minutes)

## **E. Resolution 24-152 Approving Policy Amendment for the Albert Lea Public Library**

Community Engagement & Enrichment Director Malakowsky provided a synopsis of the current policy and the proposed changes. She explained similar to its policy on the process for challenging a book, the library is presenting a policy on the process for challenging a program. The Albert Lea Public Library has a Program Policy that guides staff in program development and documents programming guidelines for residents in the library's service area. Library Director Annice Sevett has amended the Program Policy to include a Request for Program Reconsideration Procedure that outlines how an individual can question or voice a concern about a program on the Albert Lea Public Library's schedule. The procedure follows the same

steps as the Request for Reconsideration section of the Collection Development Policy for items in the library's collection. The Library Advisory Board voted at its Aug. 21 meeting in favor of this policy and recommended bringing it to the City Council for approval.

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

(See Secretary's Original Resolution 24-152  
Included with these minutes)

**F. Resolution 24-153 Amending a SCDP Plan – 1516 Hawthorne Street – Home is Where the Heart Is, LLC.**

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.

Home is Where the Heart Is LLC applied for and was awarded matching funds in February of 2024 but since that time the project has expanded. The applicant has applied for additional funds up to the maximum grant amount to install new electrical and plumbing service throughout the units at 1516 Hawthorne Street. The attached Agreement authorizes the City Manager to enter into a Loan Agreement for a maximum amount of \$25,000, which is forgivable after five (5) years provided the property isn't sold, transferred or conveyed before the end of the five-year period.

Councilor Olson commented he is excited that the city is able to continue the SCDP.

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

(See Secretary's Original Resolution 24-153  
Included with these minutes)

**MAYOR AND COUNCIL REPORTS:**

First Ward, Councilor Christensen reported: ABSENT

Second Ward, Councilor Baker reported:

- Ward Items – Requests the open windows be addressed at the old VFW building.
- Committee Update – Participated in the Kite Festival by sitting in the dunk tank.

Third Ward, Councilor Howland reported: ABSENT

Fourth Ward, Councilor Olson reported: None

- Ward Items – None
- Committee Update – None

Fifth Ward, Councilor R. Rasmussen reported:

- Ward Items – None
- Committee Update – Although he was unable to attend the recent Library Board meeting, Malakowsky provided him with highlights. He commented he is pleased with the library programs and the increased number of patrons.

Sixth Ward, Councilor Anderson reported:

- Ward Items – Working on two ward items
- Committee Update – Attended the recent Kite Festival.

**MAYOR REPORT:** Attended the Following:

- Met with the Freeborn County canvassing board following the primary election.
- Received an update from Mayo regarding the garden and landscaping in front of the hospital
- Police/Fire ministry luncheon
- AL budget meeting
- Had a discussion with the Recharge MN group who will be meeting at the U of M in September where representatives from Design Ready Controls, Phillip Johnson, and himself will be presenters
- ALEDA project review
- Kite Festival
- Badger Motor Home group who met at the Fairgrounds

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

**CITY MANAGER REPORT:**

- Reported staff has been working at getting the final numbers for the budget and presentation. He commended them for their diligent work
- Attended several meetings
- Has had conversation with several potential developers
- Continues to work on assessing the needs of the city

**APPROVAL OF CLAIMS**

**A. Resolution 24-154 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 as read, seconded by Councilor Anderson. On roll call vote, the following councilors voted in favor of said motion: Baker, Olson, Rasmussen, Anderson, and Mayor Murray. Mayor Murray declared the motion passed.

(See Secretary's Original Resolution 24-154  
Included with these minutes)

Councilor Anderson motioned for adjournment; Councilor Baker 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, September 9, 2024. On roll call vote, all councilors voted in favor of said motion.

Mayor Murray declared the motion passed and the meeting adjourned.

**ADJOURNMENT: 7:36 P.M.**

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Mayor Rich Murray

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Daphney Maras  
Secretary of the Council