

**REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA
OCTOBER 28, 2024 – 7:00 P.M.**

PRESENT: Mayor Rich Murray, Councilors, Rachel Christensen, Larry Baker, Jason Howland, 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 Deputy City Clerk Karla Tukua

ABSENT: City Clerk Daphney Maras

ADDITIONAL STAFF PRESENT: Sergeant-at-Arms Public Safety Director JD Carlson, Engagement/Enrichment Director Cathy Malakowsky, City Planner Megan Boeck, Finance Director Kristi Brutlag and Human Resource Director Mike Zelenak.

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

A. Recognition of Albert Lea Fire Captain Trevor DeRaad as Fire Prevention Officer of the Year. Mayor Murray read through the recognition that was given to Fire Captain Trevor DeRaad, from the Minnesota State Fire Chiefs Association when they named him Fire Prevention Officer of the Year.

PUBLIC FORUM – Jerry Collins one of the owners of Big Dream Organics spoke on the proposed Cannabis Ordinance. He mentioned he thought it looked good overall, but thought there were areas that were more conservative. He stated his concern is there's only allowances for 2 licenses, which is the State minimum. He spoke on wanting parity between other types of businesses that are able to have more licenses: ex. Alcohol and tobacco licenses, with no issues with these businesses. He would like to see more parity between these businesses and the cannabis businesses, stating his reasons for this.

CONSENT AND APPROVAL OF AGENDA

- A. Approve Minutes of the October 14, 2024 Regular Council Meeting
- B. Approve Minutes of the October 14, 2024 Work Session
- C. License & Permits
- D. Resolution Approving Gambling Permit – Twin Lakes Firemen's Relief Association

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

motion passed.

(See Secretary's Original Resolution 24-193
Included with these minutes)

PETITIONS, REQUESTS AND COMMUNICATIONS- None

UNFINISHED BUSINESS

**A. Ordinance 24-128 Amending Chapter 12, Article XI. Taxicab – Sec. 12.373. Insurance
(2nd Reading)**

This amendment reflects changes in the language related to the required amount of public liability and bodily injury insurance by clarifying the necessary amounts without being too excessive. This is the final reading of this ordinance.

Councilor Howland asked for clarification whether it's Article X, vs. Article XI, staff was able to answer that it is Chapter 12, Article XI.

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

(See Secretary's Original Ordinance 24-128
Included with these minutes)

B. Ordinance 24-129 Chapter 5 Cannabis Businesses (2nd Reading)

City Manager Rigg stated, other than a few minutes ago, he had received no comments from business owners or the public on the ordinance adoption. This ordinance focuses on the licensing of cannabis sales, events and commercial allowances of low potency items within our local authority. Approval is recommended.

Key points of the ordinance:

- It is as restrictive as possible in number of retail establishments which is 2.
- It is as restrictive as possible in hours of operation.
- It is as restrictive as possible without being unreasonable for temporary events. Without a history to know what is necessary or not and without knowledge of the OCM's role over time, these events are officious under this ordinance.
- This is to serve as a guide for what will likely be restrictions on the other adult use business licenses in Chapter 4 and 12 amendments.

Other aspects related to cannabis business zoning was resolved in Chapter 50 amendments, and soon social host regulations on cannabis will be addressed in Chapter 22 amendment.

City Manager Rigg wanted to clarify based on public comment at public forum. This is the final reading of this ordinance, there is not a third reading. Rigg stated that the issue of parity was brought up and explained that even though these other businesses aren't as restrictive now, the City will look at applying more restrictions. Rigg mentioned that the State will create a certain level of distribution throughout the State, so that it's not all concentrated in one area. With this Ordinance, we have a max license number of 2. If at any time the Council would want to change this amount, it would go through a first and second reading of an ordinance adoption, explaining that process.

Councilor Christensen stated she wanted the public to know that this has been a long process. The committee on the Cannabis Ordinance held meetings with different groups and utilized guidance from the state and it's regulation, and also listened to the public. Christensen said that staff took a conservative approach, but it doesn't prevent possible future changes. Council Baker asked what would happen if a third business would like to come in, could the Ordinance be changed. Rigg explained the process of amending the ordinance, answering additional council questions.

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

(See Secretary's Original Ordinance 24-129
Included with these minutes)

C. Resolution 24-194 Permitting Publication Summary of Ordinance 24-129 (Cannabis)

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 24-129 – Cannabis

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

(See Secretary's Original Resolution 24-194
Included with these minutes)

NEW BUSINESS

A. Resolution 24-195 Approving Main Corridor Grant for 1206 W. Front Street

The Main Corridor Renewal Grant is intended to assist property owners in making façade and site improvements that preserve the architectural character of the property, improve the curb-side appeal and/or spur economic development along the City's main commercial corridors.

ALCPAS LLC, a limited liability company under the laws of Minnesota; TM Thompson Properties, LLC, a limited liability company under the laws of Minnesota; and B & S Bland Properties, LLC, a limited liability company under the laws of Minnesota; applied for a matching grant for façade restoration under the Main Corridor Renewal Grant Policy for site assessment, removal or existing parking lot, grading and drainage improvements and constructing a new parking lot. The total project cost is \$46,521 which will provide the property owners with a matching grant of \$23,260.50.

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

(See Secretary's Original Resolution 24-195
Included with these minutes)

MAYOR AND COUNCIL REPORTS:

First Ward, Councilor Christensen reported:

Councilor Christensen stated she had miss-spoke at the last Council Meeting. There will be no meeting on November 11th, it's Veteran's Day. Council will meet on Tuesday, November 12th and the hearing on final assessments for Greenwood Dr. or any other projects will be at that meeting.

- Ward Items – None.
- Committee Update – Budget Committee is continuing to work on 2025 Budget. Planning and Zoning was reflected well tonight with the work on the Cannabis Ordinance. Blue Zones is working on different projects. Stating that Worksite Wellness group is very active continuing to build support for healthy workplaces. Also noted that the public can still register for a plant based cooking class at the 7th Day Adventist Church. Explaining that the 7th Day Adventist is the only Natural Blue Zone Communities, where Albert Lea is a Certified Blue Zones Community and noted the difference in this. She thanked the Albert Lea Tribune for sharing in-depth interviews on local candidates. One of the joys in serving is she is not in a partisan position and how as councilors they work together. For the public she asked that they reach out to their Councilors with any issues encouraged them to go vote on November 5th. Gave a shout out to area musicians, and spoke about the Austin Symphony performing concerts for area youth. Where there were a lot of our local youth in attendance at these programs. Encouraged youth to be involved in music.

Second Ward, Councilor Baker reported:

- Ward Items – None
- Committee Update – Attended an ALEDA meeting and received a notice of another meeting in regards to a potential new business that may come to Albert Lea. Baker mentioned there are more things happening, with the entities working together. Attended an HRA meeting and said there was more conversation around the housing need in this community. All of these entities are working together to address the housing issue.

Third Ward, Councilor Howland reported:

- Ward Items – No Ward items, but asked City Manager about a letter that was sent to residents from HomeServe asking residents to sign up for sewer/water protection. Wanted City Manager to clarify why the letter was sent and that HomeServe wasn't double charging residents. City Manager Rigg explained that there was an error in sending the letters. The letters should have gone out to just Freeborn Mower's sewer and septic customers and not to residents with just city sewer and water. It is Rigg's understanding that no one will be double charged and the City had put out communication about this on City of Albert Lea social media posts. Howland asked residents if they got this letter and unsure of whether they have this service, they can call the City of Albert Lea, Freeborn Mower or HomeServe.
- Committee Update – None

Fourth Ward, Councilor Olson reported:

- Ward Items – Thanked the Police Department on a couple issues he had e-mailed to them, that they took care of.
- Committee Update – No committee updates, but stated he'd vote on election day, if anyone wanted to talk to him, he'll be at Grace Lutheran Church.

Fifth Ward, Councilor Rasmussen reported:

- Ward Items – No ward items.
- Committee Update – Will have a Library meeting in 2 weeks.

Sixth Ward, Councilor Anderson reported:

- Ward Items – Currently working on 2 Ward items.
- Committee Update – Attended the HRA meeting along with Councilor Baker and he stated that there is progress coming. He attended a Budget Meeting and is still learning this process. Councilor Anderson stated he early voted and it was an easy process. Encouraged residents if they get the chance, to do so also.

MAYOR REPORT: Attended the Following:

- Attended the ALEDA meeting and said there will be a meeting with a prospective new employer in the next couple weeks.
- Spent time with Realtors Association, had a good discussion about Albert Lea and our housing projects we are working on.
- Worked on a RECHARGE event with ALEDA and additional opportunities.
- Tonight, at the High School there is a National Honor Society induction ceremony. Congratulations to those individuals being inducted.

Announced upcoming events within the city and encouraged the community to participate. He also added that he drove by the Fairgrounds the past weekend and the Oktoberween event was well attended.

CITY MANAGER REPORT:

- The City is waiting on Open Enrollment to end before finalizing the budget recommendations.
- Preparing for Council Retreat that will be on Weds., November 13th.
- Gave thanks to the City Clerk and Deputy City Clerk on their work on the Elections, scheduling judges and ensuring they are trained.
- Continues to meet with developers on housing and has asked for updates on TIF performances. Waiting on bids for Blazing Star and the clean-up on the corner lot.
- Reminded residents with Daylight Savings, it's also time to switch out batteries on your smoke detectors.
- Gave the history of Halloween, going through how it got its start ending with how it evolved to what it is today. He encouraged everyone to go out and enjoy Halloween, dress up, have fun and be safe.

APPROVAL OF CLAIMS

A. Resolution 24-196 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 voice vote, all councilors voted in favor of said motion: Mayor Murray declared the motion passed.

(See Secretary's Original Resolution 24-196
Included with these minutes)

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

At 7:46 p.m. Mayor Murray asked for a motion to move into closed session. Motion made by Councilor Anderson, seconded by Councilor Baker. On voice vote, all councilors voted in favor of said motion.

At 8:02 p.m. Mayor Murray announced a motion was made by Councilor Anderson, seconded by Councilor Baker to move out of closed session. He stated council discussed the property at 821 Jefferson Ave.

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 Tuesday, November 12, 2024. On voice vote, all councilors voted in favor of said motion.

Mayor Murray declared the motion passed and the meeting adjourned.

ADJOURNMENT: 8:03 P.M.

Mayor Rich Murray

Karla Tukua
Secretary Pro Tem