REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS, CITY OF ALBERT LEA
September 8, 2025 – 7:00 P.M.

PRESENT: Mayor Rich Murray, Councilors Rachel Christensen, Larry Baker, Jason Howland, Reid Olson, Keith Van Beek, Brian Anderson, City Manager Ian Rigg, Public Works Director Steven Jahnke, City Attorney Joel Holstad of Lakes National Law LLP, and City Clerk Daphney Maras.

ADDITIONAL STAFF PRESENT: Building/Zoning Official Wayne Sorensen, Community Engagement & Enrichment Director Cathy Malakowsky, City Planner Megan Boeck, Deputy Police Chief Darren Palmer, Recreation Manager Bob Furland, Park & Recreation Administrative Assistant Afton Wacholz.

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

A. **Proclamation - See Tracks? Think Train!**

Mayor Murray read the Proclamation aloud, proclaiming September 16-21, 2025, as See Tracks? Think Train! Week. Members of the organization were present to accept the proclamation.

B. **Oath of Office – Sergeants - Sy Vanthavong, David Miller, Nathan Idstein**

Police Chief Darren Hanson proudly announced the promotions of Sy Vanthavong, David Miller, and Nathan Idstein to sergeants, followed by City Clerk Maras formally administering the Oath of Office.

PUBLIC FORUM

Becky Greiner spoke about Albert Lea’s ability to attract young families, emphasizing the urgent need for expanded childcare options. She proposed a solution to address housing affordability by adopting the adaptive reuse of hotel spaces, utilizing the available hotels in Albert Lea that are for sale.

Abby Leach Schumacher voiced concerns about delays in the city arena construction and criticized the lack of transparency from city leadership regarding project updates.

CONSENT AND APPROVAL OF AGENDA

A. Approve Minutes of the August 25, 2025 Regular Council Meeting
B. Approve Minutes of the August 25, 2025 Work Session
C. License & Permits
D. Resolution Supporting New Passenger Rail Service Between the Twin Cities in Minnesota

and Kansas City, Missouri

E. Resolution Declaring 2025 Hometown Pride Fall Cleanup Day
F. Resolution Authorizing Annexation Agreement for 2522 West Richway Drive – 2025 Misc. 196
G. Resolution Approving Grant Agreement No. 1060288 with Minnesota Department of Transportation – Office of Aeronautics – Fiscal Years 2026 and 2027 – 2025 Misc. 239
H. Resolution Approving Upgrade of Springbrook Software

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

(See Secretary's Original Resolution 25-142 through 25-146
Included with these minutes)

PETITIONS, REQUESTS, AND COMMUNICATIONS

A. Presentation from Bolton and Menk – WWTP Improvements

Kris Swanson of Bolton & Menk addressed the changes to the plan for the upgrade at the WWTP to fit other funding opportunities, allow for some delays in the final phase of reconstruction, and focus on the more immediate need of removing phosphorus.

B. Update on the Recreation Facilities Improvements

Community Engagement & Enrichment Director Cathy Malakowsky opened by expressing her sincere apologies to the City Council, City Manager, and the broader community for the lack of transparency surrounding updates on the Recreation Facilities projects.

She acknowledged that InBylt has consistently stated for several weeks that ice would be available in the Nystrom Rink by October. However, despite repeated requests from city staff for an update on the Colstrup Rink, no information had been provided until late this afternoon. That update was promptly shared with the City Manager, Mayor, and City Attorney.

Malakowsky noted that the City has been working closely with the City Attorney to explore legal avenues to ensure InBylt fulfills its contractual obligations to Albert Lea regarding the facility upgrades. She also explained that Rec staff have been navigating a series of change orders and project challenges, which prompted the invitation for InBylt representatives to attend tonight’s meeting and provide direct updates to the Council and community.

She then introduced Chris Humphrey the fourth Project Manager assigned by InBylt to the Recreation Facilities project since its inception. She said, although she has put together a PowerPoint to help guide the discussion, most of the council’s questions will need to be directed toward Mr. Humphrey.

The first slide outlined the October 17 opening target for Nystrom Rink, noting the city plans to lease a temporary chiller for $115,850, covered by its $180,000 budget set aside in anticipation of the chiller that would not be installed by October. She addressed the impact on the ice schedules for the Albert Lea School District, Waldorf University, Albert Lea Hockey Association, and Albert Lea Figure Skating Club, as well as the extensive loss of revenue to the city.

Mayor Murray expressed skepticism regarding the projected October 17th opening of the Nystrom Rink, asking whether the timeline was truly feasible. In response, Malakowsky deferred to Mr. Humphrey, who noted that he had only recently joined InBylt, having been with the company for just one month. Humphrey explained that InBylt had only recently received an update from Total Mechanical, the subcontractor responsible for critical components of the project, indicating that the rink would be skateable by the target date. He then outlined the timeline of communications with Total Mechanical, emphasizing that the subcontractor had been largely unresponsive until recently and had not provided a clear explanation for its earlier lack of communication or failure to meet the original schedule.

Councilor Howland then inquired about the impact on the Open Skate program. Malakowsky confirmed that the delay would affect the program and contribute to a further loss in revenue.

Next, Malakowsky presented the revised timeline for the Colstrup Rink, noting that the opening is now set for January 6th. She explained that while it's fortunate a temporary chiller won't be necessary, it's only because the rink floor won't be ready in time.

Mayor Murray inquired about the cause of the current project delay, to which Mr. Humphrey reported that the delay, estimated at 7 to 8 weeks, was due to an unforeseen condition involving a raised water table.

Councilor Howland asked whether this delay would impact the delivery of the rink’s chiller. Mr. Humphrey responded that the chiller is expected to arrive on schedule. However, if a delay occurs, the city may proceed with renting a chiller, as done previously.

Councilor Baker voiced strong concerns over InBylt’s ongoing delays, citing significant financial losses for the city and reduced ice time for the affected organizations.

Malakowsky then turned to the fire alarm issue, explaining that a complete system replacement will be necessary for the facility. The original assumption that the existing 1997-installed system could accommodate additional sensors proved incorrect, as the current panel lacks the required capacity. She expressed deep frustration and disappointment that neither the council nor the community had access to this information at the time the lobby expansion was approved. Two bids were submitted, one at $300,000 and the lowest at $146,000. Even if the council proceeds with the lower bid, the arena project will still exceed its budget by 15%. She provided an update on the contingency budget established for the Arena and Aquatic Center to address anticipated unforeseen issues. The current remaining balance stands at $50,500. It was noted that certain items were inadvertently omitted from the architect’s plans, including the flooring in the arena lobby and the gates at the aquatic center. Malakowsky informed the council that the City Attorney is requesting guidance on whether the city should cover the cost of the new fire alarm system or pursue financial contributions from InBylt and JLG Architects through arbitration. At this time, she invited Mr. Humphrey to deliver his presentation.

Mr. Humphrey stated that JLG based its initial code review on limited information and plans that were provided by the city, and JLG determined the building was classified as a type B3 use. During this preliminary assessment, there were no indications that the fire alarm system was non-compliant. He then proceeded to outline the project timeline and detail the scope of work, along with the issues that emerged throughout the process.

City Manager Rigg raised several inquiries with Mr. Humphrey, including whether a comprehensive inspection of the entire facility had been conducted to identify any deficiencies. Mr. Humphrey indicated he would follow up with InBylt and JLG to obtain responses to Rigg's questions. As the Council continued its line of questioning, Mr. Humphrey reiterated that he would need to consult with InBylt to provide further information.

Mr. Humphrey addressed the $146,000 cost associated with the fire alarm system, noting that the city may be eligible for a $36,000 tax credit, which would reduce the net expense to approximately $113,000. Malakowsky shared that, in a discussion with another InBylt staff member, "Mark", it was suggested the city could pursue the credit, though there was some uncertainty about whether it would withstand a federal audit. Ultimately, the city opted not to pursue the credit. Mr. Humphrey once again reiterated that he would consult with that staff member.

City Attorney Holstad referenced a prior conversation with the same InBylt staff member, "Mark", that had led to a disagreement between the company and the city. He further noted that the narrative presented tonight differs significantly from the discussion he recalls having just ten days prior. Holstad expressed disappointment over the discrepancies, emphasizing the inconsistency between the current statements and those previously conveyed.

Councilor Christensen said she recommends that the city pursue recovery of these expenses.

Malakowsky wrapped up the discussion with updates on the remaining Recreation facility projects. Councilor Howland expressed gratitude to the Albert Lea Hockey Association for their generous contributions to the Arena lobby improvements. City Manager Rigg extended his thanks to Malakowsky, Bob Furland, Afton Wacholz, and the entire arena team for their dedication and hard work throughout the duration of the project.

Mayor Murray concluded by expressing deep frustration over the ongoing delays surrounding the arena project, emphasizing the negative impact on the local hockey community. He urged InBylt to accelerate its efforts and find a more efficient path forward to expedite the project's completion.

UNFINISHED BUSINESS

A. **Ordinance 25-145 Amending Part 1 – CHARTER – Chapter 2 – Form of Government and Chapter 3 – Council Procedure and Adding New Sec. 3.12 – Disposal of Excess Personal Property (2nd Reading**)

This is the final reading of proposed amendments to Chapters 2 and 3 of the City Charter, including the addition of a new section concerning the disposal of surplus personal property. Pursuant to Minnesota Statute, these amendments require unanimous approval by all council members and shall not become effective until 90 days following passage and publication.

Motion made by Councilor Christensen to approve the final reading of this ordinance, seconded by Councilor Baker. On voice call vote, the following councilors voted in favor of said motion: Christensen, Baker, Howland, Olson, Van Beek, Anderson, and Mayor Murray. Mayor Murray declared the motion passed.

(See Secretary's Original Ordinance 25-145
Included with these minutes)

NEW BUSINESS

A. Resolution 25-147 Approving Professional Services Agreement for Demolition Landfill Feasibility Evaluation – Job 2521

The City of Albert Lea solicited proposals for professional engineering services for evaluating the closure or expansion of the Albert Lea Demolition Landfill.

The facility was originally permitted in 1994 upon the closure of the adjacent city-owned Municipal Solid Waste (MSW) site. The Albert Lea Demolition Landfill primarily serves the needs of the residents of the City of Albert Lea and receives approximately 5000 cubic yards of construction/demolition debris per year. Two of the four cells have been filled, with the third cell nearing completion.

The MPCA is proposing new rules governing Demolition Landfills. These new rules will require modified operational plans, more strenuous site development and project planning, require additional operational procedures, construction requirements and acceptable waste restrictions. The existing Albert Lea Demolition Landfill, will need substantial changes to operations and additional construction to comply with these requirements or the city will need to create and execute an updated plan for closure and post-closure care.

The city received four proposals for preparing a feasibility study to determine whether to expand or close the demolition landfill.

Staff is recommending hiring Short Elliot and Hendrickson (SEH) based on a proposed fee not to exceed $29,700 for professional engineering services to prepare a feasibility study and determine a path forward with the demolition landfill.

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

(See Secretary's Original Resolution 25-147
Included with these minutes)

B. Resolution 25-148 Approving Professional Services Agreement with Bolton & Menk, Inc. for WWTP Improvements – Phosphorus Removal – Job 2522

Kris Swanson from Bolton and Menk Inc. provided a presentation on the proposed WWTP Phosphorus Removal Improvement Project. The project would be the design of the phosphorus removal improvements for the WWTP. Once designed, the city would apply for a $12,500,000 PSIG grant that has a 50% match for the phosphorus removal improvements. This agreement is for professional services with Bolton and Menk Inc. (Task Order 2025-04). The total for the professional services agreement is estimated at $1,497,400.

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

(See Secretary's Original Resolution 25-148
Included with these minutes)

C. Resolution 25-149 Approving Final Plat – Blazing Star No. 3

The Planning Commission held a public hearing on September 2, 2025 to review the Official Plat for Blazing Star No. 3, which is a re-plat or separation of Lot 1, Block 1 from Blazing Star No. 2 due to a Torrens issue.

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

(See Secretary's Original Resolution 25-149
Included with these minutes)

D. Resolution 25-150 Approving Conditional Use Permit for a Multi-Family Housing Development at 105 Garfield Avenue

Albert Lea Family Housing on behalf of the City of Albert Lea, applied for a Conditional Use Permit to develop a three-acre property at 105 Garfield Avenue, locally known as the Blazing Star Landing. Phase one of the project includes 61 units of affordable multifamily housing, 92 surface parking stalls, and two accessory structures.

The Planning Commission held a public hearing on September 2, 2025 and forwarded the following findings to the City Council:

1. The application is consistent with the 2040 Comprehensive Plan.
2. The proposed development meets the conditions of the Planned Development District related to density, size, and open space.

3. The proposed development will remediate a previously vacant and contaminated property and provide additional affordable housing units to an area conveniently located within walking distance to city parks, convenience stores, and the downtown historic district.
4. The proposed re-use will bring activity, tax base, and employment to an underused site.

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

(See Secretary's Original Resolution 25-150
Included with these minutes)

E. Resolution 25-151 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. Staff recommends acceptance of the following donations as submitted for Council review and approval.

- Albert Lea Moose Lodge – Albert Lea Police Department & Albert Lea Fire Department

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

(See Secretary's Original Resolution 25-151
Included with these minutes)

MAYOR AND COUNCIL REPORTS

First Ward, Councilor Christensen reported:
- Ward Items – None
- Committee Update – None
- Public Announcements – None

Second Ward, Councilor Baker reported:
- Ward Items – None
- Committee Update – Attended an HRA meeting where the housing crisis was discussed. Attended an ALEDA meeting.
- Public Announcements – None

Third Ward, Councilor Howland reported:
- Ward Items – None
- Committee Update – None
- Public Announcements – None

Fourth Ward, Councilor Olson reported:
- Ward Items – None
- Committee Update – Will be attending an Airport Board meeting next week.
- Public Announcements – Mentioned high school sports.

Fifth Ward, Councilor Van Beek reported:
- Ward Items – None
- Committee Update – None
- Public Announcements – None.

Sixth Ward, Councilor Anderson reported:
- Ward Items – None
- Committee Update – Attended an HRA meeting.
- Public Announcements – None

MAYOR REPORT:
Attended the following events:
- ALEDA project reviews
- Age Friendly Program held at the Fire Station
- Art Walk Ribbon Cutting at the new piece of Art featuring a frame
- Daisy Fest
- Encourages the community to attend the high school events.

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

CITY MANAGER REPORT
- Budget review continues
- Continue to review development projects
- IT changes will be addressed over the next couple of years to ensure software security
- Strategic Plan will be presented at the next council meeting.

APPROVAL OF CLAIMS

A. Resolution 25-152 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 Anderson to approve the claims, seconded by Councilor Van Beek. On voice call vote, the following councilors voted in favor of said motion: Christensen, Baker, Howland, Olson, Van Beek, Anderson, and Mayor Murray. Mayor Murray declared the motion passed.

See Secretary's Original Resolution 25-152

Included with these minutes)

Councilor Howland motioned for adjournment; Councilor Van Beek seconded. That there being no further business, the Council meeting adjourns until the next regular meeting of the Albert Lea City Council at 7:00 p.m. on Monday, September 22, 2025. On a voice call vote, all councilors voted in favor of said motion.

Mayor Murray declared the motion passed, and the meeting adjourned.

ADJOURNMENT 8:58 PM

____
Mayor Rich Murray

____
Daphney Maras
Secretary of the Council