

Pursuant to due call and notice thereof a regular meeting of the Council in and for the City of Albany, Stearns County, Minnesota, was called to order by Mayor Tom Kasner at 6:30 o'clock in the evening on Wednesday, September 2, 2020, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors John R. Harlander, Al Amdahl, and Keith Heitzman. Adam Rushmeyer was absent.

Tom Schneider, Clerk/Adm., Mike Kosik, Editor Star Post, Ozzie Carbajal, Police Chief, and Jeremy Mathiasen, the City Engineer with the firm of Stantec, Inc., St. Cloud, MN.

The Council recited the Pledge of Allegiance.

The Council took notice of approval of payment of bills. After due discussion, a motion was made by John R. Harlander and seconded by Keith Heitzman to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 70302 to 70335, and 17995 to 18013. All voted for the motion and it carried.

Mayor Tom Kasner called for any corrections or additions to the minutes of the regular meeting of the Council held on August 19th and hearing none declared them approved.

Open forum/public comments: Jean Pundsack, 211 Railroad Avenue, appeared before the Council to discuss vehicle noise and speeds on Railroad Avenue. Mayor Tom Kasner thanked Ms. Pundsack for sharing her concerns.

Pursuant to due notice, Mayor Tom Kasner called the public hearing into session at 6:38 o'clock in the evening on a request by Deborah L. Hagemeyer Revocable Trust, 111 Oak Leaf Drive, Albany, MN, to vacate a drainage and utility easement as dedicated in WHISPERING OAKS AT TWO RIVER, according to the recorded plat thereof, Stearns County, Minnesota, bounded as follows:

- On the Northeast by a line measured 5.00 feet Northeasterly of, as measured at a right angle to and parallel with the Southwesterly line of Lot 7, Block 3, said WHISPERING OAKS AT TWO RIVER.
- On the Southeast by a line measured 10.00 feet Northwesterly of, as measured at a right angle to and parallel with the Southeasterly lines of said Lot 7 and Lot 8, said Block 3.
- On the Southwest by a line measured 5.00 feet Southwesterly of, as measured at a right angle to and parallel with the Northeasterly line of said Lot 8.
- On the Northwest by the following described line: Commencing at the most southerly corner of said Lot 8; thence North 57 degrees 54 minutes 55 seconds West, assumed bearing, along the southwesterly line of said Lot 8, a distance of 78.73 feet, to the point of beginning of the line to be described; thence North 32 degrees 31 minutes 41 seconds East, 194.09 feet and said line there terminating.

Mr. Schneider noted a public notice was published in the Star Post on August 19th and August 26th and no written comments were received. Mr. Schneider informed the Council all utilities companies were given notice and no utilities are located within the proposed described easement to be vacated. Mr. Schneider noted the purpose of the request is to construct a new home. Mayor Tom Kasner closed the public hearing at 6:42 PM. After due discussion, a motion was made by Mayor Tom Kasner and seconded by Al Amdahl to vacate the public drainage and utility easement as per the aforesaid legal description. All voted for the motion and it carried.

Mr. Mathiasen presented to the Council Payment Voucher No. 8 for the 2019 7th Street Reconstruction Improvements. Mr. Mathiasen noted the Payment Voucher generally includes the bituminous wear course payment. After due discussion and upon recommendation from the City Engineer, a motion was made by Keith Heitzman and seconded by Al Amdahl to approve Payment Voucher No. 8 to C & L Excavating, St. Joseph, MN, in the amount of \$108,694.95. All voted for the motion and it carried.

Mr. Mathiasen presented to the Council Payment Voucher No. 5 for the 2020 Capital Improvement Project. Mr. Mathiasen noted the Payment Voucher generally includes bituminous non-wear course paving, alley construction, and turf restoration. After due discussion and upon recommendation from the City Engineer, a motion was made by John R. Harlander and seconded by Keith Heitzman to approve Payment Voucher No. 5 to Breitbach Construction Company, Elrosa, MN, in the amount of \$218,964.32. All voted for the motion and it carried.

Mr. Mathiasen also presented to the Council Payment Voucher No. 3 for the 2019 Albany Street Lighting Improvement Project. Mr. Mathiasen noted this request is the final payment and the work has been inspected and determined the contractor has successfully completed all tasks within the scope of the project. After due discussion and upon recommendation from the City Engineer, a motion was made by Al Amdahl and seconded by John R. Harlander to approve Payment Voucher No. 3 to Design Electric, Inc., St. Cloud, MN, in the amount of \$12,020.40. All voted for the motion and it carried.

Mr. Mathiasen informed the Council Kelvin Howieson, MnDOT, questioned if the Council was ready to proceed with a reconstruction improvement project at 1st Street and Railroad Avenue (State HWY #238) intersection and if not, a letter is required to be forwarded to MnDOT officially declining MnDOT funding allocated for the proposed improvement. Mr. Mathiasen noted MnDOT did not approve the proposed 130' diameter roundabout due to access issues for an adjacent business; whereby additional right-of-way would need to be purchased by the City. Mr. Mathiasen noted the estimated cost for the said roundabout is \$900,000. Mr. Mathiasen also presented a revised intersection design with stop condition for south bound to east bound traffic, yield condition for south bound to west bound traffic, and stop condition remaining for vehicles approaching from the east. Mr. Mathiasen noted the estimated cost for the said intersection design is \$260,000; whereby the estimated cost split is 65/35 MnDOT/City. Mr. Harlander recommended the Council consider the revised design, but no engineering cost should be incurred until MnDOT and Stearns County agree in principal accepting the proposed design. Mr. Heitzman informed the Council he would support a roundabout rather than a traditional intersection being traffic does not need to stop, but at this time it may not be desirable because of the unique circumstances surrounding the intersection. Mr. Mathiasen noted the revised design will meet the current traffic needs for the next twenty years and at that time a roundabout may be considered. Mayor Tom Kasner, with the consensus of the Council, directed Mr. Mathiasen to present the "porkchop" design for the said intersection to MnDOT and Stearns County Highway Department to determine if feasible and whether construction would be considered in the year 2021 or 2022.

Mr. Mathiasen presented to the Council a proposed future Capital Improvement Project map that included reconstruction of roadways, water main, sanitary sewer main, services, and storm sewer for three or four areas under consideration for reconstruction improvements lying north of Railroad Avenue between 1st Street and 6th Street. Mr. Schneider informed the Council decisions to proceed with a reconstruction improvement in 2021 or 2022 will affect the 2021 budget and debt service levy. Mr. Harlander recommended the Council proceed with authorizing the engineer to prepare a topographical survey for Lake Avenue between 3rd Street and 6th Street including Church Avenue between 2nd Street and 5th Street. After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to authorize the engineer to begin the preliminary field survey for Lake Avenue, the side streets, and Church Avenue, east of 5th Street. All voted for the motion and it carried. Mr. Mathiasen noted the Council may consider a resolution authorizing a preliminary engineering report for the same area at the next Council meeting.

Mayor Tom Kasner, Economic Development Authority (EDA) Liaison, informed the Council the EDA held a meeting on August 20th to discuss the proposed City's COVID-19 Emergency Grant Program Policy related to CARES Act funds the City received in the amount of \$204,000. Mr. Kasner noted a portion of the funds may be used to assist small businesses in the community that were either partially closed or closed as of March 1st due to COVID-19. Mr. Kasner noted expenditures that have been incurred and that are being proposed on order and/or delivered prior to November 15th deadline is eligible. After due discussion and upon the recommendation by the EDA, a motion was made by Al Amdahl and seconded by Keith Heitzman to approve the following: 1) Albany COVID-19 Emergency Grant program Policy, 2) Extend Small Business Relief Program application for EDA review to October 15th, and 3) \$100,000 maximum funds for said Program. All voted for the motion and it carried.

Mr. Schneider informed the Council the Planning Commission held a meeting on August 20th; whereby the board was informed the City purchased approximately 11,526 square feet of excess railbank property in the amount of \$14,400 from the Minnesota Department of Transportation (MnDOT) directly south of the former Gas Service property at 21825 County Road 54 now owned by Bryan D. Schiffler, Albany, MN. Mr. Schneider noted Mr. Schiffler will redevelop the property in the future and does not object to annexation being municipal water and sewer services are located in Countryside Lane adjacent to the property. Mr. Schneider noted the Planning Commission did not have any objection to the sale of the said property.

Mr. Schneider also informed the Planning Commission the City purchased on behalf of the Albany Golf Club a vacant lot adjacent to number one tee owned by Mother of Mercy Campus of Care, parcel number 40.25050.0000 (0.23 acres+/-), in the amount of \$15,000. Mr. Schneider noted the 2021 estimated market value is \$12,800 and the lot is landlocked with no access to a public street or utility. Mr. Schneider noted the Planning Commission had no objection to the action taken by the Council.

Mr. Schneider presented to the Council the following bids received for the 2005 Dodge Ram 1500 pickup that were opened at 3:00 PM on Friday, August 28th:

- Valerian Gerads \$1,208
- Mike Peterson \$1,309
- Steve Pelzer \$2,021
- Duane Schmitz \$3,100

Mr. Schneider noted a notice was published in the Star Post on August 12th and recommended the Council accept the bid submitted by Mr. Schmitz. After due discussion, a motion was made by John R. Harlander and seconded by Keith Heitzman to approve the bid submitted by Duane Schmitz in the amount of \$3,100 for the said pickup. All voted for the motion and it carried.

Councilor Keith Heitzman, Albany Golf Club Liaison, informed the Council the annual stockholders meeting will be held at 7:00 PM, on Monday, September 14th. Mr. Heitzman noted the golf course has been very busy this summer being many area activities were cancelled due to COVID-19.

Mr. Amdahl informed the Council the 2020 Census will be completed at the end of September and signs have been erected throughout the City encouraging those who did not complete the census survey to go online and complete as soon as possible. Mr. Amdahl noted additional information will be forthcoming within the next few weeks.

Mr. Schneider questioned if the Council would like to authorize a speed study to be conducted on Railroad Avenue designated as County Highway #157 west of 12th Street. Mr. Schneider noted the purpose of the speed study would be to reduce the speed west of 12th Street from 45 mph to 30 mph. Mr. Amdahl questioned if the existing 45 mph speed limit sign can be moved west of the Lake Wobegon Trail crossing. Mr. Schneider noted the speed study will take that into consideration including adjacent businesses and residential properties. After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to direct Mr. Schneider to contact Jodi Teich, the Stearns County Highway Engineer, to request a speed study for that area of County Road 157 (Railroad Avenue) west of 12th Street to reduce the speed from 45 mph to 30 mph. All voted for the motion and it carried.

Mr. Schneider presented to the Council the proposed 2021 Budget which included the following departments: Administration, Police, Fire, Street, Park, Library, Election, Water, and Sewer. Mr. Schneider informed the Council the State is looking at a \$4.7 billion dollar deficit mainly due to COVID-19 and Local Government Aid (LGA) that is distributed to cities may be reduced. Mr. Schneider presented a proposed debt service and general levy increase between 7.61% to 13.45% which included a projected cut in LGA of \$100,000 and noted the City's 2021 tax capacity rate is estimated to be forty-five (45%) percent. Mr. Harlander noted the proposed levy may be reduced, but not increased. Mr. Harlander also noted if the City receives information from the State that there will be no cuts to LGA, the budget can be adjusted at the

December truth in taxation public hearing. Mr. Schneider also noted if the Council decides to undertake a reconstruction improvement project in 2021, the budget will need to reflect this addition in the debt service levy. Mr. Schneider also noted the preliminary 2020 property tax levy for payable 2021 can be approved at the September 16th Council meeting which will be forwarded to Stearns County on or before September 30th.

Mr. Schneider informed the Council he received a request by Kathleen Kramer, 951 7th Street, to remove the Yield signs at the intersection of 1st Avenue and 7th Street and erect STOP signs being she has knowledge of vehicles not yielding at the said intersection during early morning hours. Mr. Schneider noted the Police Department was made aware of the request and can patrol the area. Mayor Tom Kasner, with the consensus of the Council, noted the Yield signs will remain and not be changed to STOP signs at the aforesaid intersection.

Mr. Schneider also informed the Council Stearns County will be asking property owners within County Ditch 28 watershed to complete an online survey to allow the county to gather feedback and other information from property owners who may be required to pay for a portion of the cost of any future projects on the ditch through special tax assessments. Mr. Schneider noted the Stearns County Drainage Authority is made up of the five Stearns County Commissioners and will provide additional information to the Council when made available.

Mayor Tom Kasner announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, September 16, 2020 and adjourned the meeting at 8:05 PM.

Tom Schneider
Clerk/Adm.