

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, February 2, 2022, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors John R. Harlander, Keith Heitzman, Al Amdahl, and Adam Rushmeyer. None were absent.

Other's present were: Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Jeremy Mathiasen, City Engineer with Stantec, Inc., St. Cloud, MN, David Belford, owner of Barbacoa American and Mexican Restaurant, 441 Railroad Avenue, and Ellarry Prentice, Staff Writer, the Star Post.

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 Adam Rushmeyer to authorize electronic payments (payroll), transfers, and the payment of the following bills: Check Numbers 71536 to 71655. 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 January 19th and hearing none declared them approved.

Open forum/public comments: none

Councilor John R. Harlander, Economic Development Authority (EDA) Liaison, informed the council the EDA held a meeting on January 20th, on a request by David Belford, owner of Barbacoa American and Mexican Restaurant, 441 Railroad Avenue, to review a business assistance application for a Commercial Rehabilitation Deferred Loan/Grant (CRDL) for the following building improvements on the 1<sup>st</sup> and 2<sup>nd</sup> floor facing Railroad Avenue: exterior and interior windows/doors/partitions, masonry brick, tuckpointing, rough-in carpentry, demo, painting, electrical, plumbing, exterior sign, etc. at an estimated cost of \$72,000+/- . Mr. Harlander presented to the council a storefront sketch included in the application which depicts many improvements similar to when the building was constructed in the year 1900+/- . Mr. Belford noted the future plans are to remove the chain link fence abutting the sidewalk on the east side of the building and pour a concrete patio for outside dining and an entry door to the building for handicap access. Mr. Belford also noted commercial and/or residential apartments, a mixed use on the second floor, is being considered at some point in the future. After due discussion, and upon recommendation from the EDA, a motion was made by John R. Harlander and seconded by Al Amdahl, to approve the CRDL application submitted by David Belford, owner of Barbacoa American and Mexican Restaurant as follows:

- The estimated total of the improvements if \$72,000+/- or the EDA's share to be \$24,999, the maximum.
- Remove all pole barn steel on the front or south side of building.
- Owner shall comply with building code requirements consistent with the use of building.
- New improvements related to, but not limited to, increase tax base, entrance doors, 1<sup>st</sup> and 2<sup>nd</sup> floor windows as per the sketch provided in the application, HVAC, and electric.
- Upon completion, applicant to submit to City evidence of payment to contractor(s) and completion of eligible building improvements prior to the City releasing EDA funds.
- Improves efficiencies of building. A large capital investment on Railroad Avenue.
- The application meets the goals of the program which are to improve the useful life of a building and keep downtown vital.
- The request meets the City's 2014 Criteria for Business Subsidy.
- If the real estate is sold, transferred or otherwise conveyed within four (4) years of the final disbursement date, voluntarily or involuntarily, the full amount of the CRDLs must be repaid to the EDA. Thereafter, the amount of repayment is reduced by twenty-five percent (25%) for each

- year until the seventh (7<sup>th</sup>) anniversary of the final disbursement date. After the seventh (7<sup>th</sup>) anniversary, the deferred loan is entirely forgiven as outlined in the Deferred Loan Payment Agreement that will be executed between the EDA and Albany Hotel & Business Center, Inc.
- A 1099-C will be issued to the applicant and a satisfaction of mortgage upon completion of the said Agreement.

All voted for the motion and it carried. Mayor Tom Kasner directed Mr. Belford to submit an application for a commercial building permit when the project will move forward and thanked him for considering the large capital investment on Railroad Avenue.

Mr. Mathiasen appeared before the council to discuss a proposed Pedestrian Trail Connection Improvement along the east side of North Lake adjacent to State HWY #238 from North Park to Lake Avenue as discussed by the Park Board at their meeting held on January 25<sup>th</sup>. Mr. Mathiasen noted the Park Board directed him to prepare a feasibility study to determine the costs associated with the trail improvement, but to date he has not had a chance to connect with representatives from the Mn Department of Natural Resources (DNR) and the Minnesota Department of Transportation (MnDOT). Councilor Al Amdahl informed the council the said study will be paid for by funds received by an anonymous donor. Mr. Mathiasen noted the said study will be presented to the council for further discussion at a future meeting.

Mr. Mathiasen informed the council the addition of handicap parking spaces on the north side of Railroad Avenue can't be accomplished due to limited parking width within the right of way and challenges in complying with the Americans with Disability Act (ADA). Mr. Mathiasen presented to the council a proposed sketch of three new handicap parking spaces shown in strategic locations in the city parking lot. Mayor Tom Kasner noted a business owner brought the idea of adding handicap parking spaces near intersections on the north side of Railroad Avenue to improve visibility for vehicles and pedestrians. Mayor Tom Kasner noted the proposed handicap parking stalls can be easily added in the city parking lot by painting the bituminous and signage if this is what the council would like to have done in the spring and thanked Mr. Mathiasen for the information. No action was taken by the council.

Mr. Mathiasen also informed the council the city may at its discretion implement lower speed limits on residential streets to improve safety for pedestrians and motorists, but must develop procedures to set speed limits based on the city's safety, engineering, and traffic analysis to effectively communicate the change to the public. Mr. Mathiasen noted the MN Statute 169 does not apply to town roads, county highways, or trunk highways in the city. Mr. Mathiasen informed the council this action can be considered at any time in the future.

Mr. Schneider presented to the council a proposed draft of Section 33.01, WRAP Policy, on behalf of the Police Department. Mr. Schneider noted the WRAP, a temporary restraining device, provides a safe and quick method of controlling and immobilizing a violent or potentially violent or combative subject who has been detained or taken into custody. Mr. Schneider noted the policy is mandated and recommended approval. After due discussion and upon the recommendation by the police department, a motion was made by Al Amdahl and seconded by Keith Heitzman to approve the WRAP Policy for the Albany Police Department. All voted for the motion and it carried.

Councilor Al Amdahl, Park Board Liaison, informed the council the Park Board held a meeting on January 25<sup>th</sup> to review and discuss a concept plan for the following park improvements in North Park: picnic areas, pickleball courts, youth baseball fields, soccer fields, BMX bicycle track, splash pad, dog park, green house, North Lake learning platform, restrooms, pedestrian walk paths, etc. Mr. Schneider noted a roadway is shown on the concept drawing from State Hwy #238 to the former hospital/clinic parking lot; whereby the roadway and other proposed improvements are required to be approved by the state being the park property was purchased with federal (Land & Water Conservation Fund -LAWCON), state, and local funds in 1969. Mr. Mathiasen noted an alternative roadway through the park to the former hospital/clinic parking lot might be Soo Line Avenue. Mr. Amdahl also noted the city can apply to the state outdoor recreation grant program to fund the proposed improvements. Mayor Tom Kasner, with the

consensus of the council, directed Mr. Mergen to contact Hanson Paving, Sauk Rapids, MN, for a quote to skim patch the walk/bike path adjacent to State Hwy #238 beginning south of Soo Line Avenue and ending near the driveway entrance to the Jaycee shelter in North Park.

Mr. Amdahl also updated the council on upcoming performances scheduled in the Blattner Energy Arts Theater (BEAT), which is offered by Albany Area Schools Community Education.

Dalton Herzog, appeared before the Council on behalf of the Albany Area Jaycees, to request approval of a Large Gathering application for an Event Permit for their annual Ice Cup Golf Challenge to be held on North Lake on Saturday, February 26th. Mr. Herzog noted the organization is hoping to register 50+/- teams to compete against each other on a make shift golf course on North Lake. Mayor Tom Kasner informed the council the event is a fundraiser and appreciates the efforts of the members in organizing the event. Councilor Al Amdahl thanked Mr. Herzog for appearing at the meeting and thanked the membership for all their community support for various park improvements. After due discussion, a motion was made by Mayor Tom Kasner and seconded by Adam Rushmeyer to approve an Event Permit for the aforesaid activity. All voted for the motion and it carried.

Councilor Keith Heitzman, Albany Golf Club Liaison, informed the council wooden poles have been installed around the boundary of the Toptracer range so netting can be attached to each pole to keep golf balls hit by golfers within the designated range area rather than becoming a hazard for golfers using the course adjacent to the range.

The council also took notice of two Minnesota Lawful Gambling applications submitted by the Albany Sportsmen Club and Holy Family School for the purpose of each conducting a raffle. After due discussion, a motion was made by Keith Heitzman who introduced the following resolutions and moved its adoption:

RESOLUTION NO. 2022-03  
APPROVING MINNESOTA  
LAWFUL GAMBLING LG220 APPLICATION  
(Albany Sportsmen Club-January 5, 2023)

RESOLUTION NO. 2022-04  
APPROVING MINNESOTA  
LAWFUL GAMBLING LG220 APPLICATION  
(Holy Family School, June 20, 2022)

The motion for the foregoing resolutions were seconded by John R. Harlander and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Tom Kasner, Councilors Adam Rushmeyer, John R. Harlander, Keith Heitzman, and Al Amdahl, and none voted against the same; whereupon the said Resolutions were declared duly passed and adopted.

The council took notice of a letter of resignation request by Dannielle Zierden, Administrative Assistant for the Administration/Police Department effective February 22<sup>nd</sup>. Mr. Schneider informed the council Ms. Zierden has accepted another job in the private section and been a great employee. Mr. Schneider also noted Ms. Zierden will be available to train the new employee and recommended she be paid \$40 per hour as a seasonal employee with no benefits. After due discussion, a motion was made by Mayor Tom Kasner and seconded by John R. Harlander to accept the letter of resignation from Ms. Zierden and she be paid \$40 per hour for her services in training her replacement. All voted for the motion and it carried. Mr. Schneider noted a notice of the employment vacancy was published in the Star Post and the deadline to submit an application to the city administration office is 11:00 AM on Tuesday, February 8<sup>th</sup>.

Mr. Schneider informed the council the MN Department of Employment and Economic Development (DEED) launched a Main Street Economic Revitalization Program to award grants to partner organizations such as the Initiative Foundation in Little Falls, MN, to establish programs targeting specific main street and commercial corridors to fund economic development, add jobs, and redevelopment projects

adversely affected by COVID-19. Mr. Schneider noted state funds would be distributed by the Initiative Foundation to participating municipalities. Mr. Rushmeyer noted many of the program objectives are similar to the city's EDA Commercial Rehabilitation Deferred Loan/Grant (CRDL) and several businesses within the city's designated corridor or Railroad Avenue have participated locally with the EDA's program. No action was taken by the council.

Mayor Tom Kasner informed the council he and Councilor Keith Heitzman, employee liaisons, discussed with Police Chief Ozzie Carbajal and Tom Schneider, Administrator, a request to increase the hourly pay for Sergeant Matt Gannon. Mayor Tom Kasner noted Sergeant Gannon is a great asset for the community, school district, and police department; whereby he would support at \$2.00 per hour increase. After due discussion, a motion was made by Mayor Tom Kasner and seconded by John R. Harlander to approve an increase of \$2.00 per hour to Sergeant Matt Gannon, Group IX Pay Equity Pay Range, effective February 9th. All voted for the motion and it carried.

Mayor Tom Kasner announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, February 16, 2022, and adjourned the meeting at 7:30 PM.

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Tom Schneider  
Clerk/Adm.