

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, January 20, 2021, 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.

Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Tim Speir, Reporter, the Star Post, Ozzie Carbajal, Police Chief, and Jeremy Mathiasen, the City Engineer with the firm of Stantec, Inc., St. Cloud, MN. Others present: Jean Pundsack, 211 Railroad Avenue.

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 Adam Rushmeyer and seconded by Keith Heitzman to authorize electronic payments (payroll), transfers, and the payment of the following bills: Check Numbers 70681 to 70721. 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 6th and hearing none declared them approved.

Open forum/public comments: none

Peggy Cremers, appeared before the Council on behalf of the Albany Area Jaycees, to request approval for an application for a Large Gathering permit for their annual Ice Cup Golf Challenge to be held on North Lake on Saturday, February 27th. Ms. Cremers noted there is approximately 20+/- teams that participate in the event on a make shift golf course on North Lake. Mayor Tom Kasner noted the participants should wear masks and social distance as per Governor Tim Walz Emergency Executive Order. After due discussion, a motion was made by Keith Heitzman and seconded by John R. Harlander to approve an Event Permit for the aforesaid activity. All voted for the motion and it carried.

Mr. Mathiasen presented to the Council an engineering feasibility study for the 1st Street and Railroad Avenue Intersection Improvements and the 8th Street (TH238) and Shamrock Lane Sidewalk Improvements. Mr. Mathiasen noted the proposed project improvements include reconstruction of storm sewer, sewer and water service relocation, new sidewalk, and street. Mr. Mathiasen noted there will be special assessments levied for the benefitted properties for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429. Mr. Mathiasen noted the estimated cost for the aforesaid improvements is \$485,523; whereby the Minnesota Department of Transportation (MnDOT) will pay for nearly 60% of the project expenses. Mr. Mathiasen noted the proposed intersection improvements will include a splitter island for southbound to westbound turning movements, a free right/yield movement southbound to westbound traffic, and a stop sign added on the splitter island for southbound to eastbound traffic. Mr. Mathiasen also noted the proposed intersection improvements are not expected to impact the east leg of the intersection (CR54) and therefore not include Stearns County. Ms. Pundsack informed the Council the intersection is very confusing which has led to vehicle near miss accidents and requested an intersection drawing that is easy for the public to understand. Mayor Tom Kasner informed Ms. Pundsack a public hearing will be held on February 17th to provide information to the public and abutting property owners. Mr. Mathiasen also noted the proposed sidewalk on the north side of Shamrock Lane and west side of 8th Street (TH238) will need to be constructed within the right-of-way with additional sidewalk work to be done at the intersection of 8th Street and Railroad Avenue. Mayor Tom Kasner noted many options have been discussed over the years related to the said intersection improvements and the proposed design seems to be the best fit at this point in time. Ms. Pundsack questioned when the project would begin. Mr. Mathiasen noted MnDOT agreed to the proposed design in concept and construction may begin in the fall of 2021 or spring of 2022. Mr. Harlander noted he would be in favor of beginning the project in the spring of 2022 which would have less impact on school traffic and the City would receive more competitive bids. Mayor Tom Kasner directed Mr. Schneider to prepare a live stream of the public hearing

to allow members from the public to participate if they may be uncomfortable attending an in-person meeting. After due discussion, a motion was made by John R. Harlander who introduced the following Resolution and moved its adoption:

**RESOLUTION 2021-02
RECEIVING PRELIMINARY ENGINEERING REPORT AND CALLING
PUBLIC HEARING ON A LOCAL
IMPROVEMENT PROJECT
(1st Street/Railroad Avenue Intersection Improvements)
(8th Street (TH238) and Shamrock Lane Sidewalk Improvements)**

The motion for the foregoing Resolution was seconded by Keith Heitzman and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Tom Kasner, Councilors Al Amdahl, Adam Rushmeyer, John R. Harlander, and Keith Heitzman and none voted against the same whereupon the said Resolution was declared duly passed and adopted. The full text of the said Resolution is on file at the office of the City Clerk/Administrator for public inspection during regular office hours. The public hearing will be scheduled at 6:30 o'clock in the evening or as soon as thereafter on Wednesday, February 17th at City Hall, to consider the aforesaid improvement project.

Mr. Mathiasen informed the Council the plans and specifications for the 2021 Capital Improvement Project (Lake Avenue, 5th Street, 4th Street, 3rd Street, Church Avenue and trunk storm sewer west of 7th Street) is nearly completed. Mr. Mathiasen noted the reconstruction improvements are similar as previous improvements and there are no major issues with the project. Mr. Mathiasen noted bids will be opened at 11:00 AM on Wednesday, February 17th at City Hall. After due discussion, a motion was made by Al Amdahl who introduced the following Resolution and moved its adoption:

**RESOLUTION 2021-03
RESOLUTION APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS
2021 Capital Improvement Project**

The motion for the foregoing Resolution was seconded by Keith Heitzman and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Councilors Adam Rushmeyer, John R. Harlander, Al Amdahl, and Keith Heitzman, and none voted against the same whereupon the said Resolution was declared duly passed and adopted. The full text of the said Resolution is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Pursuant to due notice, Mayor Tom Kasner called the public hearing into session at 7:20 o'clock in the evening on a request by Jodi Tamm-Rajkowski, 116 Par Drive, Albany, MN, to vacate the drainage and utility as dedicated in ALBANY GOLF VISTAS, according to the recorded plat thereof, Stearns County, Minnesota, bounded as follows:

- On the Northeast by a line measured 10.00 feet Southwesterly of, as measured at a right angle to and parallel with the Northeasterly lines of Lot 8 and Lot 9, Block 1, said ALBANY GOLF VISTAS.
- On the Southeast by a line measured 5.00 feet Southeasterly of, as measured at a right angle to and parallel with the Northwest line of said Lot 8.
- On the Northwest by a line measured 5.00 feet Northwesterly of, as measured at a right angle to and parallel with the Southeasterly line of said Lot 9.
- On the Southwest by the following described line: Commencing at the most northerly corner of said Lot 9; thence South 20 degrees 45 minutes 11 seconds West, assumed bearing, along the northwesterly line of said Lot 9, a distance of 107.62 feet, to the point of beginning of the line to be described; thence South 66 degrees 36 minutes 28 seconds East, 76.27 feet, to said southeasterly line of Lot 9; thence South 69 degrees 22 minutes 16 seconds East, 76.40 feet, to the southeasterly line of said Lot 8 and said line there terminating.

Mr. Schneider noted a public notice was published in the Star Post on December 30th and January 6th and no written comments were received. Mr. Schneider informed the Council all utility companies were given notice and no utilities are located within the proposed described easement to be vacated. Mr. Schneider also noted the purpose of the request is to construct a new home. Mayor Tom Kasner closed the public hearing at 7:25 PM. After due discussion, a motion was made by Adam Rushmeyer and seconded by John R. Harlander to vacate the public drainage and utility easement as per the aforesaid legal description and to authorize Mayor Tom Kasner to execute a Notice of Completion of the said vacation. All voted for the motion and it carried.

Councilor Keith Heitzman, Albany Golf Club Liaison, presented to the Council the Albany Golf Club's checkbook register. After due discussion, a motion was made by Keith Heitzman and seconded by Al Amdahl to approve electronic payments, transfers, and the payment of the following: checks 39755-39767. Voting for the motion were Councilors John R. Harlander, Keith Heitzman, Adam Rushmeyer, and Al Amdahl, and none voted against. Mayor Tom Kasner abstained and the motion carried.

Councilor Al Amdahl informed the Council the Albany Area Community Education Program activities are beginning to be advertised to the public being several COVID-19 restrictions have been modified. Mr. Amdahl noted many individuals are excited to participate in the program activities.

Councilor Adam Rushmeyer, Planning Commission Liaison, informed the Council three individuals submitted applications for the Planning Commission board vacancy; whereby each will be interviewed in the coming weeks and a recommendation will be presented to the Council in the near future. Mr. Rushmeyer noted a notice was published in the Star Post on January 6th seeking candidates for the five-year board position.

Mr. Schneider presented to the Council proposed ordinance amendment to Ordinance 30, Section 30.19, Subd. 5, Water Access Flat Fee. Mr. Schneider noted the purpose of the amendment is to clarify the said fee shall apply on a per water meter bases, except for water meters used to measure lawn irrigation use only. Mr. Schneider noted in the past only one water meter had served a single building and over the past year or two property owners have requested multiple water meters being there is more than one use in the building which fee shall apply to each water meter. Mr. Schneider noted properties have been charged a water access flat fee per water meter and the language in the ordinance should be consistent. After due discussion, a motion was made by John R. Harlander and seconded by Keith Heitzman to approve the amendment to Ordinance 30, Section 30.19, Subd. 5. All voted for the motion and it carried.

The Council took notice of a MN Lawful Gambling Application submitted by the Albany Area Gymnastics Association for the purpose of conducting a raffle. Mr. Schneider noted the Council approved a resolution in November for the said organization to conduct a raffle on February 19th, but the date of the raffle was changed by the organization to March 26th. After due discussion, a motion was made by Mayor Tom Kasner who introduced the following Resolution and moved their adoption:

RESOLUTION 2021-04
APPROVING MINNESOTA
LAWFUL GAMBLING LG220 APPLICATION
(Albany Area Gymnastics Association)

The motion for the foregoing Resolution were seconded by Adam Rushmeyer 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 Resolution was declared duly passed and adopted.

The Council also took notice of a MN Lawful Gambling Application submitted by the Albany Sportsmen Club for the purpose of conducting a raffle on January 7, 2022.

RESOLUTION NO. 2021-05
APPROVING MINNESOTA
LAWFUL GAMBLING LG220 APPLICATION
(Albany Sportsmen Club)

The motion for the foregoing Resolution were seconded by Keith Heitzman 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 Resolution was declared duly passed and adopted.

Mayor Tom Kasner updated the Council on the Governor Tim Walz COVID-19 regulations and restrictions. Mayor Tom Kasner noted the public can go to <https://staysafemn.gov> for more details.

Mayor Tom Kasner announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, February 3, 2021, and adjourned the meeting at 7:45 PM.

Tom Schneider
Clerk/Adm.