

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 Daron Gersch at 6:30 o'clock in the evening on Wednesday, June 20, 2018, in the Council Room at 400 Railroad Avenue for the said City.

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

Also present were: Jeremy Mathiasen, City Engineer, with Stantec, Inc., Andrew Gravdahl, Patrol Officer, Mike Kosik, Editor, Albany Enterprise, and Tom Schneider, Clerk/Adm.

The Council recited the Pledge of Allegiance.

After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 68286 to 68316. All voted for the motion and it carried.

Mayor Daron Gersch called for any corrections or additions to the minutes of the regular meeting of the Council held on June 6th. Mr. Schneider recommended that a motion be made to accept the Mayor's resignation. After due discussion, a motion was made by Tom Kasner and seconded by Keith Heitzman to accept Mayor Daron Gersch's resignation effective June 30th. All voted for the motion and it carried. Mayor Daron Gersch hearing no other corrections or additions declared them approved.

Open forum/public comment: Mr. Kosik questioned if the Council ever considered a pedestrian crossing on 8th Street (State HWY #238) from Church Avenue having seen individuals patronizing adjacent retail/food businesses on each side of 8th Street. Mayor Daron Gersch noted that a pedestrian crossing is located on 8th Street adjacent to Church Avenue where the Lake Wobegon Trail crosses 8th Street. Mr. Mathiasen noted that it's unlikely that MnDOT would allow two pedestrian crossings within a short distance of one another, but a sidewalk on the west side of 8th Street south of Railroad Avenue should be considered in the future. Mayor Daron Gersch noted that the City will contact MnDOT to determine what would be permitted to improve pedestrian safety on 8th Street south of Railroad Avenue.

Dina Pierskalla, Agent, Lynn Pennie, Agent, State Farm Insurance Company, Melrose, MN, and Allison Dudek, Stearns County Human Services Public Health Division, were present for the meeting.

Ms. Pierskalla appeared before the Council to present the Council with a \$15,500 donation from State Farm Insurance to purchase three (3) Rapid Flash Beacon Crosswalk LED Warning System, a pedestrian safety crosswalk device. Ms. Pierskalla informed the Council that State Farm Insurance is excited to partner with the City to purchase the safety devices and have been involved with community activities for several years. Mr. Schneider noted that the City applied for the grant in the fall of 2017 with the assistance of Ms. Dudek and others; whereby nearly \$34,000 in donated funds were received for the signal devices which will be installed at the following three (3) pedestrian crosswalks: 1) Lake Wobegon crossing on 8th Street, 2) Railroad Avenue/4th Street, and 3) the school crossing on County Road #54 (Railroad Avenue). Mayor Daron Gersch thanked State Farm Insurance, Ms. Pierskalla, and Ms. Pennie for their company's generosity and contribution to the safety of pedestrians in the City.

Pursuant to due notice, Mayor Daron Gersch called the public hearing into session at 6:40 o'clock in the evening to vacate that part of a 5 foot drainage and utility easement over, under and across the Northwesterly 5 feet as measured perpendicular to and parallel with the northwesterly line of Lot 2, Block 7, as shown on the plat of WHISPERING OAKS AT TWO RIVER, according to the recorded plat thereof, Stearns County, Minnesota, lying northeast of the following described line: Commencing at the northwesterly most corner of said Lot 2, Block 7 of said plat of WHISPERING OAKS AT TWO RIVER; thence South 45°15'55" West, plat bearing, along the northwesterly line of said Lot 2, a distance of 130.19 feet and point of beginning of said line to be described; thence South 23°59'44" East, 37.10 feet, said line there terminating, EXCEPTING THEREFROM the Northeasterly 10 feet thereof as measured perpendicular to and parallel with the Northeasterly line of said Lot 2. AND That part of a 5 foot drainage

and utility easement over, under and across the Southeasterly 5 feet as measured perpendicular to and parallel with the southeasterly line of Lot 3, Block 7, as shown on the plat of WHISPERING OAKS AT TWO RIVER, according to the recorded plat thereof, Stearns County, Minnesota, lying northeast of the following described line: Commencing at the northwesterly most corner of Lot 2, Block 7 of said plat of WHISPERING OAKS AT TWO RIVER; thence South 45°15'55" West, plat bearing, along the northwesterly line of said Lot 2, a distance of 130.19 feet and point of beginning of said line to be described; thence North 23°59'44" West, 48.78 feet, said line there terminating, EXCEPTING THEREFROM the Northeasterly 10 feet thereof as measured perpendicular to and parallel with the Northeasterly line of said Lot 3 as requested by Rod and Irene Gerads, 116 Schwinghammer Dr. A public notice was published in the Albany Enterprise on May 30th and June 6th. No written comments were received. Mayor Daron Gersch closed the public hearing at 6:42 PM. Mr. Schneider informed the Council that all utilities were given notice and none exist within the proposed easement to be vacated. After due discussion, a motion was made by Al Amdahl and seconded by Tom Kasner to vacate the public drainage and utility easement as per aforesaid legal description. All voted for the motion and it carried.

Mr. Mathiasen informed the Council that all the project work has been completed, including the plantings and the restoration work for the 2018 North Lake Storm Water Improvements. Mr. Mathiasen noted that he will monitor the condition of the seeding and the plants to make sure the vegetation is growing. Mr. Mathiasen also noted that there is a 2-year maintenance agreement with the contractor and educational materials will be developed for review with City and County staff.

Mr. Schneider informed the Council the City's Wastewater Treatment Plant National Pollutant Discharge Elimination System (NPDES) Permit 30-day pre-draft expires June 25th and recommended the City submit a letter to the Minnesota Pollution Control Agency (MPCA) requesting that mercury monitoring and salty discharge parameters be removed from the draft permit as previous discussed with MPCA representatives at meetings held in 2017. Mayor Daron Gersch, with the consensus of the Council, directed Mr. Mathiasen to forward a letter to MPCA requesting that both be removed.

Councilor Keith Heitzman, Albany Golf Club, Inc., Liaison, updated the Council on the activities of the said Club and noted that the Board is moving forward with planning to replace Paul Wellenstein as Manager due to his retirement at the end of the year.

The Council took notice of a Fireworks Event Permit application submitted by Premier Pyrotechnics, the company that will display the fireworks, for Heritage Day, August 4th, the annual community celebration sponsored by the Albany Area Chamber of Commerce. Mr. Schneider noted that in the event there is a strong southerly wind, the fireworks may be delayed or cancelled to avoid property damage to nearby homes and commercial/industrial buildings and if cancelled, the display will occur at the same location on August 5th at 10:00 PM. After due discussion, a motion was made by John R. Harlander and seconded by Mayor Daron Gersch to approve the aforesaid permit to Premier Pyrotechnics to display fireworks on the golf course on August 4th for Heritage Day or if necessary, August 5th. All voted for the motion and it carried.

The Council also took notice of a Large Gathering Permit application submitted by the Albany Chrysler Center, 34650 225th Avenue, for their annual Car Show to be held on Friday, August 3rd. Mr. Schneider informed the Council that the Fire Chief requires additional conditions to the permit to improve public safety. After due discussion, a motion was made by Tom Kasner and seconded by John R. Harlander to approve the aforesaid permit to include additional conditions by Fire Chief. All voted for the motion and it carried.

The Council took notice of a request by the Albany Lions Club for a Temporary On-Sale Liquor license for Saturday, August 4th (Heritage Day), at 400 Railroad Avenue. After due discussion, a motion was made by Mayor Daron Gersch and seconded by Al Amdahl to approve the said License for a period beginning August 4th and ending August 5th. All voted for the motion and it carried.

The Council took notice of an off-site LG230 MN Lawful Gambling Exempt Permit application submitted by the Albany American Legion Post 482 to be held on Friday, August 3rd at the annual Car

Show at the Albany Chrysler Center, 34650 225th Avenue. Mr. Schneider informed the Council that the organization will sell pull-tabs during the event. After due discussion, a motion was made by Al Amdahl who introduced the following resolution and moved its adoption:

RESOLUTION 2018-13
APPROVING MINNESOTA
LAWFUL GAMBLING EXEMPT PERMIT APPLICATION

The motion for the foregoing Resolution was seconded by Tom Kasner and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Daron Gersch, Councilors Tom Kasner, 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.

Mr. Schneider recommended that action be taken to appoint a Council member for the position of Mayor that will be vacated by Mayor Daron Gersch on June 30th. After due discussion, a motion was made by Mayor Daron Gersch and seconded by John R. Harlander to appoint Tom Kasner as Mayor of the City of Albany effective July 1st for a term ending December 31, 2018. All voted for the motion and it carried.

Mayor Daron Gersch recommended that action be taken to appoint an individual for the position of Councilor that will be vacated by Tom Kasner on June 30th. Mr. Kasner noted that he spoke to former Council member Jack Evens regarding the vacant position; whereby Mr. Evens would graciously accept the appointment if it presented itself. After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to appoint Jack Evens as Councilor for the City of Albany effective July 1st for a term ending December 31, 2018. All voted for the motion and it carried.

Mr. Schneider informed the Council that the first day for filing affidavits of candidacy for City officers is July 31st and the last day to file is August 14th for the purpose of filling the following offices: 1) One Mayor, for the office now held by Tom Kasner (2-year term), 2) One Councilor, for the office now held by Al Amdahl, (4-year term), and 3) One Councilor, for the office now held by Jack Evens (4-year term). The municipal election is held in conjunction with the General Election on Tuesday, November 6th.

Mr. Schneider also informed the Council that another city along Interstate 94 questioned if Albany would ever consider approving a local one-half cent sales tax, a state authorized tax, for funding street reconstruction improvements. Mr. Schneider noted that the local sales tax would be terminated at a specific period in time based on sales tax revenue projections to be used to pay for the street reconstruction improvements. Mr. Schneider noted the MN Department of Revenue can develop the statistics to determine how much sales tax would come from visitors or non-residents. Mayor Daron Gersch, with the consensus of the Council, informed Mr. Schneider that the City would not be interested in considering the idea of initiating a local one-half cent sales tax. Mr. Schneider noted that he will share this information with the other nearby city.

Mr. Schneider also informed the Council that the City and Stearns County residents will be using new ballot counters in the polling places for the 2018 Elections. Mr. Schneider noted that the new machines have larger and improved screens, higher degree of accuracy and security of election results. Mr. Schneider noted that voters may view demonstration of the voting machine from June 29th – August 13th at the Stearns County Auditors Office in St. Cloud, MN.

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o'clock in the evening on Thursday, July 5, 2018 and adjourned the meeting at 7:00 PM.

Tom Schneider, Clerk/Adm.