

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, May 7, 2014, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors John R. Harlander, Laurie Dingmann, Tom Kasner and John Greer. None were absent. Also present were: Tom Schneider, Clerk/Adm., Ozzie Carbajal, Police Chief, Aaron Baros, Patrol Officer, Jeremy Mathiasen, City Engineer with Stantec, Inc., and Mike Kosik, Staff Writer, Albany Enterprise.

Members from the public present were: Ashley Christen, Matt VanBeck, Ron Dickhaus, Katrina Dickhaus, Dennis Stang, and Leon Stueve.

After due discussion, a motion was made by John Greer and seconded by John R. Harlander to authorize the payment of the following bills: Check Numbers 64308 to 64361 and 15225 to 15237. All voted for the motion and it carried. The complete check register is on file at the office of the City Clerk/Adm. for public inspection during regular office hours.

Mayor Daron Gersch called for any corrections or additions to the minutes of the regular Council meeting held on April 16th and hearing none declared them approved.

Mayor Daron Gersch introduced to the public and Council members newly elected Stearns County Commissioner Steve Notch. Mr. Notch appeared before the Council to introduce himself to the Council and is excited to represent the cities in western Stearns County to help facilitate their needs to grow and prosper.

Janelle P. Kendall, Stearns County Attorney, appeared before the Council to update the Council on the activities for the 2013 Albany Prosecution Contract Report. Ms. Kendal noted that the contract includes adult criminal and juvenile investigative legal advice seven days a week twenty-four hours per day. Ms. Kendall also noted that their office provided law enforcement training opportunities for members of the Albany Police Department. Ms. Kendall noted that there were 117 total prosecutions in Stearns County consisting of driving violations, assault, drugs, theft, alcohol, gross misdemeanors, etc. Ms. Kendall also noted that the program is designed to use the power of persuasion inherent in the incentive of avoiding a criminal conviction to facilitate rehabilitation, changed thinking, responsive behavior, the payment of restitution to the victim(s), and in some cases, treatment. Mayor Daron Gersch thanked Ms. Kendall for attending the meeting and updating the Council.

Steve Blenker, City of Albany Emergency Management Director, and Gary Winkels, Fire Chief, Albany Fire Department was present for the meeting. Mr. Blenker appeared before the Council to present the final draft of the City of Albany Emergency Operations Plan. Mr. Blenker noted that purpose of the said Plan is to ensure the effective and coordinated use of the resources available to the City to make sure necessary jobs get done during emergencies by delegating authority and responsibility while responding to a disaster or an impending disaster. Mr. Blenker informed the Council that the department heads for the Fire Department, Police Department, Public Works Department, and City Administration with the assistance of the staff at the Stearns County Emergency Management Department assisted with the preparation of the City's Emergency Operations Plan. Mr. Blenker also noted that the said Plan is a working document that can be amended from time to time and recommended approval. After due discussion and upon the recommendation by Mr. Blenker, a motion was made by Tom Kasner and seconded by John R. Harlander to approve the City of Albany Emergency Operations Plan. All voted for the motion and it carried.

Mr. Mathiasen appeared before the Council to update the Council on the 2013 Railroad Avenue (State HWY #238) Improvements. Mr. Mathiasen informed the Council that core samples of the concrete on Railroad Avenue Phase II met the compression tests, but additional testing of the components of the concrete will be completed next week. Mr. Mathiasen discussed with MnDOT the Council's concerns regarding the appearance and condition of the concrete; whereby a representative from MnDOT will be attending the May 21<sup>st</sup> Council meeting to determine what the Council will be comfortable with as a final product. Councilor Tom Kasner noted that the paint in the crosswalks is failing or have been chipped off from snowplows which will need to be added to the final punch list of repairs before the City accepts the project. Mr. Mathiasen noted that the mill and overlay on 8<sup>th</sup> Street south of Railroad Avenue will begin in June.

Mr. Mathiasen informed the Council that the water main, nearly 750 feet, on Church Avenue between 5<sup>th</sup> Street and 7<sup>th</sup> Street froze this past winter due to extremely unusual cold temperatures over lengthy periods which drove the frost to unprecedented depths causing cities throughout the State to deal with frozen water mains, sewer mains, and services. Mr. Mathiasen noted that a section of water main had been repaired a few weeks ago, but two additional breaks in the water main occurred so each residential home continues to be served by a temporary water service. Mr. Mathiasen noted that Church Avenue is identified in the City's Capital Improvement Plan to be reconstructed in the year 2020, but questioned if the Council should concentrate on only installing a new water main and street improvements for that area of Church Avenue between 5<sup>th</sup> Street and 8<sup>th</sup> Street. Councilor John Greer noted that the City should not move too quickly because there are storm sewer issues that need to be resolved to alleviate flooding during heavy rain events on Church Avenue which outlets into the golf course. Mr. Greer questioned if the water main could be replaced by obtaining quotes from local contractors and at a later date reconstruct the street as planned. Mr. Schneider informed the Council that he will contact David Drown, the City's Financial Consultant, to determine if the properties may be assessed for the new water main without following Minnesota Statutes, Chapter 429, procedures for financing local improvement projects. Councilor Tom Kasner questioned if anything had been determined how the sanitary sewer located in the golf course would be replaced this year because digging an open trench is not an option due to several electrical wires, irrigation pipes, greens, tee boxes, and cart paths would all be compromised. Mr. Kasner also noted that the majority of residential homes on Church Avenue are connected to the sanitary sewer located in the golf course and each would be assessed similar to other improvement projects. Mr. Mathiasen reminded the Council that the sanitary sewer is working, but the condition of the clay tile is in very poor shape with offset joints and cracks in the pipe which is allowing ground water to infiltrate the pipe. Mr. Mathiasen noted that he will meet with Mr. Kasner to discuss installation options to replace the sanitary sewer in the golf course. Ms. Dickhaus informed the Council that she was unaware that the sanitary sewer was being considered to be repaired this year. Mayor Daron Gersch informed the public that when properties are to be assessed for improvements, public hearings are held and each benefitted property is given a mailed notice of the hearing date, project expenses, and costs to be assessed so property owners can have an opportunity to attend meetings to voice their concerns. After due discussion, a motion was made by Tom Kasner and seconded by Laurie Dingmann to authorize the City Engineer to obtain quotes to install a new water main and street repair on Church Avenue between 5<sup>th</sup> Street and 7<sup>th</sup> Street. All voted for the motion and it carried.

After due discussion, a motion was made by John R. Harlander who introduced the following resolution and moved its adoption:

**RESOLUTION 2014-06  
CALLING FOR A PRELIMINARY  
ENGINEERING REPORT  
CHURCH AVENUE IMPROVEMENTS**

WHEREAS, it is proposed to undertake the following improvement: Church Avenue Street and Utility Improvements (the "Improvement") and to assess the benefitted property for all or a portion of the cost of the Improvement pursuant to Minnesota Statutes, Chapter 429.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Albany, Minnesota:

That the proposed Improvement, is referred to Stantec, Inc., St. Cloud, MN, the consulting engineer for the City for study with instructions to report to the City Council with all convenient speed advising the City Council in a preliminary way as to whether the proposed Improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other Improvement; the estimated cost of the Improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

Adopted by the City Council this 7<sup>th</sup> day of May 2014.

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Daron Gersch, Mayor

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Tom Schneider, Clerk/Adm.

( S E A L )

The motion for the foregoing Resolution was seconded by John Greer and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Daron Gersch, Councilors Laurie Dingmann, John R. Harlander, John Greer, and Tom Kasner and none voted against whereupon the said Resolution 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.

Joe Mergen, Public Works Supervisor, appeared before the meeting to present a proposed job description for a Lawn Mower Operator, a part-time seasonal position. Mr. Mergen noted that the City had received one employment application for the position, but others are interested in the position. Councilor Tom Kasner questioned if the City was required to advertise for the open position. Mr. Schneider noted that the City is not required, but the Council may do so. Councilor John Greer noted that those interested can request an employment application and submit for review and consideration. After due discussion, a motion was made by Laurie Dingmann and seconded by Mayor Daron Gersch to approve the job description for the Lawn Mower Operator, select an individual from applications received, and hire an individual upon the successful completion of a physical examination. All voted for the motion and it carried.

Ozzie Carbajal, Police Chief, appeared before the Council to inform the Council that each Patrol Officer completed training courses which will benefit department operations. Mr. Carbajal presented to the Council a letter of resignation from Kristie Watson, Police Secretary, having secured other employment. Mr. Carbajal informed the Council that Ms. Watson has done a tremendous job with record management and documentation for the department and will be greatly missed. After due discussion, a motion was made by John Greer and seconded by Mayor Daron Gersch to accept the resignation by Ms. Watson and to pay out any accumulated vacation and sick hours. All voted for the motion and it carried.

Councilor John Greer, Police Department Liaison, informed the Council that Mr. Carbajal successfully completed his one-year probationary period and recommended that he be approved as full-time status. Mr. Schneider informed the Council that Mr. Carbajal has demonstrated outstanding leadership this past year. Mr. Schneider also noted that Mr. Carbajal has initiated police programs in the schools, assisted with school activities and other community events. After due discussion, a motion was made by John Greer and seconded by John R. Harlander to approve Mr. Carbajal to full-time status and an increase in pay effective May 7<sup>th</sup> as follows: Group X, Step 4, \$28.82, an increase of \$0.84 per hour. All voted for the motion and it carried.

Mayor Daron Gersch, Albany Golf Club Liaison, informed the Council that the Club held their annual Stockholder’s meeting on May 5th; whereby Jesse Nordmann, Bruce Meredith, and Bruce Osendorf, were elected for a three-year term to the Board of Directors. After due discussion, a motion was made by Mayor Daron Gersch and seconded by John R. Harlander to ratify the annual stockholders election results for the aforesaid individuals. Voting for the motion were Mayor Daron Gersch, Councilors Laurie

Dingmann, John R. Harlander, and John Greer and none voted against. Councilor Tom Kasner abstained and the motion carried.

Mr. Schneider presented to the Council a proposed Councilmembers Technology Device Policy. Mr. Schneider noted that the cost to purchase City owned Android Tablets for Council members from Computer Technology Center, Albany, is \$2,125. Mr. Schneider also noted that the aforesaid Policy outlines the safety and security of the devices and the information which may be contained therein including acceptable uses of the internet, and email. After due discussion, a motion was made by Tom Kasner and seconded by John R. Harlander to approve the Councilmembers Technology Device Policy. All voted for the motion and it carried.

After due discussion, a motion was made by Laurie Dingmann and seconded by John Greer to authorize the purchase of five Android Tablets from Computer Technology Center, Albany, at a cost of \$2,125. All voted for the motion and it carried.

Mr. Schneider presented to the Council a petition received by Gary and Laura Goebel, owners of Lots 7 and 8, Block 1, Trails Edge, to vacate a drainage and utility easement to allow for the construction of a new home. After due discussion, a motion was made by John R. Harlander and seconded by Tom Kasner to accept the petition and to set a public hearing at 6:30 PM or as soon as thereafter on Wednesday, June 4<sup>th</sup>, at City Hall for the purpose of vacating the aforementioned drainage and utility easement in Trails Edge. All voted for the motion and it carried.

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, May 21, 2014 and adjourned the meeting at 8:05 PM.

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Tom Schneider, Clerk/Adm.