

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, November 17, 2021, in the Council Room at 400 Railroad Avenue for the said City.

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

Other's present were: Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Jeremy Mathiasen, the City Engineer with the firm of Stantec, Inc., St. Cloud, MN, Herman Lensing, Staff Writer, the Star Post, and Ozzie Carbajal, Police Chief, and the following high school students: Tom Odenthal, and Kyle Rausch. Other residents: Jean Pundsack, Shirly Bauer, James Kastanek, Dalton Herzog, Bryan Schiffler, Evie Eggert, David Belford, Jack Evens, Ryan Gaebel, Brian Sand, Heidi Carlstedt, Melanie Dvorak, Sarah Carlstedt, Teresita Blommel, and Charles Blommel.

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 Keith Heitzman and seconded by Adam Rushmeyer to authorize electronic payments (payroll), transfers, and the payment of the following bills: Check Numbers 71402 to 71426. 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 November 3rd and hearing none declared them approved.

Open forum/public comments:

Brian Sand, 721 2nd Avenue, appeared before the council to request the addition of STOP signs at the intersection of 7th Street and 2nd Avenue for east/west traffic. Mr. Sand noted increased speed seems to be prevalent which will eventually may lead to an accident. Mayor Tom Kasner directed Police Chief Carbajal to instruct officers to visit the intersection from time to time to view traffic patterns.

Jack Evens, 431 Railroad Avenue, appeared before the council and questioned if it would be considered to designate handicap parking spaces at the end of each block on Railroad Avenue within the business district which he's seen in another community. Mayor Tom Kasner noted Railroad Avenue is designated as State Highway 238 and MnDOT which would require a review to determine compliance with the American Disabilities Act (ADA) regulations. Mr. Evens questioned if there will be an assessment for the alley improvements. Mr. Mathiasen noted an assessment will be calculated, but at this time could not provide an estimate having not bid the project.

Bryan Schiffler, 501 Railroad Avenue, appeared before the council to recommend a roundabout be constructed at the intersection of County Road 41/10 and State Hwy #238/8th Street South. Mr. Schiffler noted the roundabout would alleviate traffic congestion and increase the flow of traffic in a safer manner. Mayor Tom Kasner informed Mr. Schiffler he may contact the Minnesota Department of Transportation (MnDOT) and/or Stearns County Highway with his request.

Mr. Schiffler also questioned if the final design of the 1st Street and Railroad Avenue Intersection Improvements has been completed. Mr. Mathiasen informed Mr. Schiffler the Minnesota Department of Transportation (MnDOT) is nearing their final review of the plans and specifications for construction to begin in the spring of 2022. Mr. Mathiasen noted traffic traveling southbound on 1st Street wanting to go east will have to stop and the southbound traffic going west will have a right turn lane which includes a yield sign. Mr. Mathiasen noted the existing stop sign on County Road 54 for traffic heading west will remain.

Mr. Schiffler also questioned if the new Polaris Ranger to be used to groom the cross-country ski trails on the golf course can be used to pick up golf balls on the Toptracer range during the winter months

at the golf club. Mayor Tom Kasner directed Mr. Schneider to discuss this request with the individuals who donated the funds to purchase the Polaris Ranger.

Pursuant to due notice, at 6:45 PM, Mayor Tom Kasner called the public hearing into session to consider certain improvements consisting of street, storm sewer, sanitary sewer, water main, water services and sewer services improvements, to wit; Midland Avenue (from 1st Street to 6th Street), 2nd Street, 3rd Street, 4th Street, 5th Street (each between Railroad Avenue and Midland Avenue), and adjacent alleys, as described in and in accordance with the preliminary feasibility report prepared by Stantec Consulting Services, Inc. A notice of the public hearing was published in the Star Post on November 3rd and November 10th. No written comments were received. Mr. Mathiasen informed the public of the overall scope of the project, methodology to calculate individual assessments, and noted the estimated project cost of the improvements is nearly \$2.5 million dollars. The following property owners appeared before the Council:

Jack Evens, 431 Railroad Avenue, questioned if there will be stagnant potable water in the water main when the new water main will increase to eight (8") inch. Mr. Mathiasen noted the water main is looped and there will be no issues with stagnant potable water.

Bryan Schiffler, 501 Railroad Avenue, informed the council there is an on-street parking shortage within the business district and if the street widths are reduced, will this become a safety concern for pedestrians. Mr. Mathiasen noted vehicle speed technically is reduced with a narrower street and the improvements include replacement of existing sidewalks and eliminating "gaps" in the sidewalk on Midland Avenue. Mr. Mathiasen noted there is only a slight reduction in street width which should not affect the present conditions. Mr. Schiffler noted the council needs to continue to look at options to create a public parking lot for off-street parking north of Railroad Avenue.

David Belford, 441 Railroad Avenue, informed Mr. Mathiasen he has a stormwater issue in his rear yard and questioned if drainage will improve when the new alley is constructed. Mr. Mathiasen noted there will be a concrete pad in the middle of the alley which will provide for storm water flow and the final design will take into account adjacent properties with poor drainage.

Evie Eggert, 131 3rd Street, questioned if they can pay the contractor to install a new driveway and how will her property be assessed being there will be improvements abutting three sides of her property. Mr. Mathiasen noted any work done beyond the right of way is the responsibility of the homeowner and they may directly contact the contractor or another contractor. Mr. Mathiasen noted the assessment calculation will take into account the property is adjacent to new improvements on three sides.

James Kastanek, 301 Railroad Avenue, questioned how is property will be assessed being a corner lot having paid an assessment in 2013 for the Railroad Avenue Improvements. Mr. Kastanek also noted the sidewalk cracked abutting his property on 3rd Street shortly after the 2013 improvements were completed which he brought before the council at that time. Mr. Mathiasen noted corner lots are calculated differently for an assessment and the sidewalk will be replaced.

Shirley Bauer, informed the council there is storm water remaining in the gutter adjacent to the Mother Seton store on 4th Street after each rainfall and an ice condition in the winter months during thaw periods. Ms. Bauer noted if a new street is constructed, will the storm water issue must be corrected in the gutter? Mr. Mathiasen noted the problems will be corrected.

Mr. Mathiasen informed the public to contact him with concerns or additional information about the project. Mayor Tom Kasner thanked the property owners for attending the meeting and closed the public hearing at 7:25PM. After due discussion, a motion was made by Al Amdahl who introduced the following resolution and moved its adoption:

RESOLUTOIN NO. 2021-27
ORDERING IMPROVEMENT AND DIRECTING PREPARATION OF
PLANS AND SPECIFICATIONS
2022 Capital Improvements
(Street and Utility Reconstruction 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 Adam Rushmeyer, Keith Heitzman, and Al Amdahl, 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.

David Belford, owner of Barbacoa American and Mexican Restaurant, 441 Railroad Avenue, appeared before the council to question why he is responsible to expose his property pins for the construction of new deck and stairway when the stairway is clearly within his property boundaries. Mr. Schneider noted he received a building permit application, but it did not include a site plan with the appropriate measurements of the lot and being the new stairway is somewhat close to the western property boundary, he required the property pins to be exposed as per the zoning ordinance. Mr. Belford questioned if the council has any discretion that would allow him to move forward with his project. Mayor Tom Kasner, with the consensus of the council, directed Mr. Belford to exposes his property pins.

Pursuant to due notice, Mayor Tom Kasner called the public hearing into session to consider and possibly adopt a proposed assessment for the following: 1) unpaid 2021 water usage incurred in relation to Ordinance 30, and 2) forfeited property sold in Whispering Oaks at Two River. No members from the public were present for the public hearing and a notice was published in the Star Post on October 27th. Mayor Tom Kasner closed the public hearing at 7:53 PM. Mr. Schneider presented to the Council the following unpaid accounts and recommended their certification to the Stearns County Auditor to be collected as a special assessment in the year 2022:

- 510 9th Street \$1,263.18 (unpaid utility bill)
- 115 Whispering Oaks Dr. \$15,891.44 (forfeited vacant lot sold)

After due discussion, a motion was made by Adam Rushmeyer and seconded by Al Amdahl to certify the unpaid water bill at 521 9th Street to the Stearns County Auditor to be collected as a special assessment in the year 2022. All voted for the motion and it carried.

After due discussion, a motion was made by Keith Heitzman and seconded by Adam Rushmeyer to certify the unpaid assessment at 115 Whispering Oaks Drive as follows: \$6,070.80 payable in full in 2022, and \$9,820.64 payable in equal annual installments including principal and interest extending over a period of seven years, with interest at the rate of 4% per annum beginning in the year 2022. All voted for the motion and it carried.

Mr. Mathiasen informed the council the following quotes were received on November 16th for the 2021 Golf View Lift Station Improvements:

- Liberty Electric Co., Inc. \$168,850
- Melrose Electric, Inc. \$185,750

Mr. Mathiasen noted the low bid received is approximately 12.5% higher than his estimate of \$150,000; whereas the industry is seeing increased pricing similar to other construction materials and services. After due discussion and upon the recommendation of the city engineer, a motion was made by Al Amdahl and seconded by Adam Rushmeyer to approve the low bid from Liberty Electric in the amount of \$168,850 for the 2021 Golf View Drive Lift Station Improvements. All voted for the motion and it carried.

Mr. Mathiasen also noted several months ago during the preliminary discussion of the proposed 2022 Sidewalk Improvement along Shamrock Lane west of the intersection of 8th Street and Shamrock Lane it was brought to the city’s attention that existing parcels along the north side of Shamrock Lane extend into the travelled roadway. Mr. Mathiasen noted the property owner would like to have the parcels updated to provide the city with the appropriate right of way adjusting the property line to be 33-feet from Shamrock Lane centerline. Mr. Mathiasen noted the update would provide the city with acceptable right of way for the proposed sidewalk improvements eliminating the need to obtain an easement from the property owner. Mr. Mathiasen informed the council the cost for surveying and document preparation for parcels 40.25024.0000, 40.25063.0000, and 40.25023.0000 is \$7,800. After due discussion, a motion was made by Mayor Tom Kasner and seconded by Keith Heitzman to authorize Stantec to proceed to survey Shamrock Lane related to the aforementioned three parcels at a cost of \$7,800. All voted for the motion and it carried.

Police Chief Ozzie Carbajal informed the council there is an ongoing investigation of a dog incident as per Ordinance 71, Animals, Section 71.08.

The Council took notice of a resolution to certify the location of the election polling place for the year 2022 as required by Mn State Statute 204B.16 Polling Places Designation. After due discussion, a motion was made by Al Amdahl who introduced the following resolution and moved its adoption:

RESOLUTION 2021-28
A RESOLUTION TO DESIGNATE THE POLLING
PLACE FOR 2022: Albany City Hall
400 Railroad Avenue, Albany, MN 56307

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, Keith Heitzman, and Adam Rushmeyer, 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 informed the council the city had to replace the remaining furnace in city hall. Mr. Schneider noted the other two furnaces were replaced in March by a local plumbing and heating contractor and all three were 23-years old, installed in 1998 when the building was constructed.

Mayor Tom Kasner informed the Council he and Councilor Keith Heitzman, Employee liaisons, completed the annual performance evaluation for the year 2021 of the City Clerk/Administrator and copies were provided to each Council member. Mayor Tom Kasner, with the consensus of the Council, expressed satisfaction with the City Clerk/Administrator’s job performance. There were no additions or corrections. The performance evaluation will be filed in his personnel file.

Mayor Tom Kasner announced the next regular Council meeting for 6:30 o’clock in the evening on Wednesday, December 1, 2021, and adjourned the meeting at 8:07 PM.

Tom Schneider
Clerk/Adm.