

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 Acting Mayor Tom Kasner at 6:30 o'clock in the evening on Wednesday, September 20, 2017, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors John R. Harlander, Al Amdahl, and Keith Heitzman. Mayor Daron Gersch was absent. Also present were: Tom Schneider, Clerk/Adm., Ozzie Carbajal, Police Chief, Albany Police Department, Mike Kosik, Editor, Albany Enterprise, Jeremy Mathiasen, City Engineer, with Stantec, Inc., Bob Forster, Public Works Department, John Greer, and Allison Dudek, Stearns County Public Health, Albany High School students present were: Emma Seiler, Courtney Buerman, Brittney Wieber, Anna Panek, Makayla Bloch, Brittany Brinkman, Quinn Jensen, Jenna Bardson, Ian Rich, Josh Killmer, Samuel Scherping, Javier Solis, and Rafael Solis.

The Council recited the Pledge of Allegiance.

Acting Mayor Tom Kasner welcomed John Greer to the meeting and presented him with a plaque recognizing his many years as a former Council member (June 2005-July 2017) and Planning Commission member and Planning Commission Liaison (January 2003-July 2017). Mr. Kasner thanked Mr. Greer for his outstanding service, leadership, and dedication to the community.

After due discussion, a motion was made by Keith Heitzman and seconded by John R. Harlander to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 67640 to 67697 and 16672 to 16688. All voted for the motion and it carried.

Acting Mayor Tom Kasner called for any corrections or additions to the minutes of the regular meeting of the Council held on September 6th and hearing none declared them approved.

Open forum/public comment: Jean Pundsack, 211 Railroad Avenue, appeared before the Council to discuss the safety of pedestrians crossing Railroad Avenue (State HWY #238), volume and speed of traffic on Railroad Avenue. Acting Mayor Tom Kasner informed Ms. Pundsack that the City Clerk/Administrator will schedule a meeting with a representative from the Minnesota Department of Transportation (MnDOT) to discuss her concerns.

Mr. Mathiasen appeared before the Council to discuss the final draft of the 2017 Bicycle and Pedestrian Master Plan. Randy Klasen, Albany Mutual Telephone Company, informed the Council that when sidewalks are considered with street improvement projects, the City must keep in mind that there is existing fiber cable buried within the right-of-way on certain streets that may affect the location of any new sidewalks; whereby his company should be contracted during the construction planning phase. Mr. Heitzman questioned if the Council approves the plan, does it mean that changes may not be considered in the future? Mr. Mathiasen noted that the said Plan is used as a resource and the Council can deviate from the plan. After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to approve the 2017 Master Bicycle and Pedestrian Plan. All voted for the motion and it carried.

Mr. Mathiasen also appeared before the Council to present the following project updates:

- 2016 5th Street Roadway and Utility improvements: Final pay application and project close out to be considered at the October 4th Council meeting.
- 2018 1st Street improvements: MnDOT will not consider widening the east sidewalk from 6' to 8' in accordance with the City's Bicycle and Pedestrian Master Plan because the bidding package is being printed and prepared for advertising. MnDOT noted there would be too many changes and challenges to the American with Disabilities Act (ADA) requirements.
- 1st Street and Railroad Avenue Intersection improvements: The mini-roundabout being constructed in the City of St. James has been completed and a tour will be scheduled in the near future.
- North Lake Storm Water improvements: The Stearns County Regional Rail Authority is preparing an easement to allow the pond construction beyond the City's property line, north of the Lake Wobegon Trail. Construction considered for spring 2018.

- The City met with representatives from the Minnesota Pollution Control Agency (MPCA) to discuss the City's National Pollutant Discharge Elimination Systems (NPDES) permit renewal for the Wastewater Treatment facility.

Mr. Schneider presented to the Council proposed 2018 Budget which includes the Police, Fire, Street, Park, Library, Water, Sewer, Capital Equipment Plans, Administration Departments and City employee benefits. Mr. Schneider noted that the preliminary 2017 property tax levy for payable 2018 is due on or before September 30th to the Stearns County Auditor's Office. Mr. Schneider noted that the proposed levy is \$819,732, a six-percent (6%) increase, but the overall City's tax capacity rate forty-two percent (42%) should remain the same. Mr. Harlander noted that the capital equipment funds proposed in the Street Department may be reduced being there appears to be adequate funds set aside for future equipment replacement. Mr. Schneider noted that a reduction in expenses may reduce the City's tax capacity rate approximately one-percent (1%). Mr. Schneider also noted that the City may reduce the levy amount to be certified to the County in December, but may not increase the amount. After due discussion, a motion was made by John R. Harlander and seconded by Keith Heitzman to direct the City Clerk/Administrator to forward to the Stearns County Auditor the proposed levy of \$819,732 and to set the initial meeting at 6:30 PM, or as soon as thereafter on Wednesday, December 6th, and the final adoption meeting of the said levy at 6:30 PM, or as soon as thereafter, on Wednesday, December 20th at the City Administration Building. All voted for the motion and it carried.

Mr. Schneider presented to the Council a proposed amendment to Ordinance 60, Liquor, Section 60.04, Subd. 5, Sunday Sales. Mr. Schneider noted that the current ordinance allows the sale of liquor on Sunday's in conjunction with the sale of food between the hours of 10:00 a.m. on Sunday's and 1:00 a.m. on Monday's. Mr. Schneider noted that a couple of licensed liquor establishments have obtained a 2:00 a.m. license and recommended that the time on Monday' be amended to 2:00 a.m. provided that each individual establishment obtains a Sunday license from the City and has obtained a 2:00 a.m. license from the State. After due discussion, a motion was made by Tom Kasner and seconded by Al Amdahl to approve the amendment to Ordinance 60, Liquor. All voted for the motion and it carried.

Councilor Keith Heitzman, Albany Golf Club Liaison, presented to the Council the said Club's checkbook register for review and consideration. After due discussion, a motion was made by Keith Heitzman and seconded by John R. Harlander to approve of the check register as presented (38356-38406). Voting for the motion were Councilors Keith Heitzman, Al Amdahl, and John R. Harlander, and none voted against. Councilor Tom Kasner abstained and the motion carried.

Councilor Al Amdahl informed the Council that he would accept the position of liaison to the Planning Commission if appointed. After due discussion, a motion was made by John R. Harlander and seconded by Keith Heitzman to appoint Al Amdahl as liaison to the Planning Commission. Voting for the motion were Councilor's Tom Kasner, John R. Harlander, and Keith Heitzman and none voted against. Councilor Al Amdahl abstained and the motion carried.

Councilor John R. Harlander informed the Council that he would accept the position of liaison to the Albany Police Department if appointed. After due discussion, a motion was made by Tom Kasner and seconded by Keith Heitzman to appoint John R. Harlander as liaison to the Albany Police Department. Voting for the motion were Councilor's Tom Kasner, Al Amdahl, and Keith Heitzman and none voted against. Councilor John R. Harlander abstained and the motion carried.

Mr. Schneider informed the Council that there will be a Stearns County Planning Commission meeting held on September 21st on a request from Stearns Solar 1, LLC, on behalf of Joan Bredeck, 36503 Co. Rd. 10, to construct a 1-megawatt community solar garden on approximately ten (10) acres in an Agricultural 40 zoning district. Mr. Schneider noted that the project is located in Albany Township north of property owned by Stearns County Pioneer Club or known as Albany Pioneer Days, 21565 360th St. Acting Mayor Tom Kasner noted that the City does not have any future utility services and streets in the vicinity; whereby the City will not provide any comments on the request.

Mr. Schneider informed the Board that the Minnesota Investment Fund (MIF) is a federally funded program administered by the MN Department of Employment and Economic Development (DEED) that provides funds to a City for job creation in manufacturing and that a portion of the repayments may be kept by the City in a separate revolving loan fund to allow a City to reuse the funds for new manufacturing projects. Mr. Schneider noted that nearly \$150,000 is in the City's account from monies obtained from the State from the 2008 Wells Concrete Project in the Industrial Park. Mr. Schneider noted that in May the Minnesota legislature allows a City with Minnesota Investment Funds (MIF) the opportunity to transfer 20 percent of the balance of that money to the State general fund before June 30, 2018; whereas the remaining 80 percent may be used by the City for general purposes for any lawful expenditure. Mr. Schneider also noted that the one-time Exception Form must be submitted to the State on or before June 1, 2018. Mr. Schneider also noted that the City's Economic Development Authority (EDA) recommended that the Council proceed to repay the State 20 percent, retaining 80 percent at the City's direction for economic development purposes. Acting Mayor Tom Kasner noted that action may be considered at the next Council meeting.

Acting Mayor Tom Kasner announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, October 4, 2017 and adjourned the meeting at 7:20 PM.

Tom Schneider
Clerk/Adm.