

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 7, 2017, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors John Greer, Tom Kasner, and Keith Heitzman. Councilor John R. Harlander was absent. Also present were: Tom Schneider, Clerk/Adm., Andrew Gravdahl, Patrol Officer, Ozzie Carbajal, Police Chief, Joe Mergen, Public Works Supervisor, Jeremy Mathiasen, City Engineer, with Stantec, Inc., and Mike Kosik, Editor, Albany Enterprise.

The Council recited the Pledge of Allegiance.

After due discussion, a motion was made by Tom Kasner and seconded by Keith Heitzman to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 67360 to 67404 and 16542 to 16557. 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 May 17th and hearing none declared them approved.

Steve Bates, Albany Bowl, Drew Stanley, Teals Liquor, Kevin Soennecker, Teals Market, Chad Schmidt and Sheri Thill, Rookies Sports Bar, Jean Pundsack, Travis Becker, and Evan Becker, were present for the meeting.

Ms. Thill appeared before the Council to thank the Council for their approval to allow the consumption of alcohol in her rear parking area under a tent on Sunday, May 21<sup>st</sup> for the purpose of a benefit for an employee who had a house fire. Ms. Thill noted that the benefit was a success and well attended.

Mr. Schneider presented to the Council the following liquor license renewal applications for the license period between July 1, 2017 and June 30, 2018:

On-Sale Liquor license: Rookies Sports Bar, Shady's Hometown Tavern and Event Center, Albany Bowl, Hillcrest Family Restaurant and Stubby's Tavern. After due discussion, a motion was made by Tom Kasner and seconded by Keith Heitzman to approve the aforementioned licenses. All voted for the motion and it carried.

Off-Sale Liquor License: Teal's Liquor, Rookies Sports Bar, Hillcrest Family Restaurant and Stubby's Tavern, Albany Bowl, and Shady's Hometown Tavern and Event Center. After due discussion, a motion was made by Keith Heitzman and seconded by Mayor Daron Gersch to approve the aforementioned licenses. All voted for the motion and it carried.

2AM Liquor License: Shady's Hometown Tavern and Event Center, Rookies Sports Bar. After due discussion, a motion was made by Tom Kasner and seconded by Keith Heitzman to approve the aforementioned licenses. All voted for the motion and it carried.

Club On-sale Liquor License: Albany American Legion Club and Albany Golf Club. After due discussion, a motion was made by Mayor Daron Gersch and seconded by Keith Heitzman to approve the aforementioned licenses. Voting for the motion were Mayor Daron Gersch, John Greer, and Keith Heitzman and none voted against. Councilor Tom Kasner abstained and the motion carried.

Cigarette License: Teal's Liquor, Teal's Market, Albany Golf Club, Don's I-94, Albany Tesoro, Holiday Store, and Shady's Hometown Tavern and Events Center. After due discussion, a motion was made by Keith Heitzman and seconded by Mayor Daron Gersch to approve the aforementioned licenses. Councilor Tom Kasner abstained and the motion carried.

The Council also took notice of a request by the Albany American Legion Club for a one-day 3.2% Malt (Beer) Liquor License to sell on-sale beer for the annual Car Show to be held on Friday, August 4th at the Albany Chrysler Center, 34650 225<sup>th</sup> Avenue. After due discussion, a motion was made by Tom Kasner and seconded by Keith Heitzman to approve the said License. All voted for the motion and it carried.

Mr. Mathiasen appeared before the Council to inform the Council that the final wear course (bituminous) will be placed on Friday, June 9th for the 2016 Street and Utility Improvements (5<sup>th</sup> Street, Linden Avenue, 2<sup>nd</sup> Avenue, and Meyer Avenue).

Mr. Mathiasen presented a concept plan of a proposed wet storm water holding pond with an iron enhanced iron filter east of the playground equipment in the Highlands Park on property owned by the City, a dry pond north of Soo Line Avenue, and two rain gardens directly north of the softball field in North Park which would reduce phosphorus and nutrient pollutants entering North Lake. Mr. Mathiasen noted that two targeted watershed areas (east/west) contribute to pollutants entering North Lake and are associated with the proposed improvements. Mr. Greer noted that the City is in partnership with the Stearns County Soil and Water Conservation District and has been awarded Clean Water Legacy funds for the improvements; whereby he would support moving forward with construction this summer. Mayor Daron Gersch, with the consensus of the Council, informed Mr. Mathiasen that the Council would support the construction of a wet storm water holding pond in the Highlands Park to serve the west watershed and two rain gardens constructed north of the softball field along State HWY #238 in North Park to serve the east watershed. Mayor Daron Gersch informed the Council that each concept plan will be presented to the Park Board for review and comment prior to preparation of final plans and bidding the improvements.

Marcia Hallermann, owner of Marcia's All-Aboard Bar and Grill, 411 Railroad Avenue, appeared before the Council to present applications for the renewal of an On-Sale Liquor License, 2 AM License and Cigarette License. After due discussion, a motion was made by Tom Kasner and seconded by Keith Heitzman to approve the aforementioned licenses. All voted for the motion and it carried.

Mr. Schneider presented to the Council a 5-year commercial lease agreement (H-6112) between the Minnesota Department of Transportation (MnDOT) and the City of Albany for property owned by the State of Minnesota that is being occupied for golf course purposes (No. 2 fairway) along Interstate-94. Mr. Schneider noted that the agreement is a renewal which includes annual payments of \$100 paid by the Albany Golf Club to MnDOT. After due discussion, a motion was made by John Greer who introduced the following Resolution and moved its adoption:

RESOLUTION 2017-07  
Commercial Lease (H-6112)  
MnDOT and City of Albany

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 Daron Gersch, Councilors John Greer, Tom Kasner, 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. Mergen presented to the Council a list of property owners who have not paid their utility bill after receiving several past due notices. Mr. Mergen noted that he will make final contact with each and if no response, the water service will be shut off pursuant to Ordinance 30.

The Council took notice of a proposed resolution to support and adopt the Stearns County All-Hazard Mitigation Plan, a planning process established under the Disaster Mitigation Act of 2000. Mr. Schneider noted that cities within Stearns County that participate in the plan are eligible to receive Federal Emergency Management Agency (FEMA) hazards mitigation assistance grants. Mr. Schneider noted that the funds may be used for, but not limited to, update or purchase new outdoor warning sirens, increase

resources for responding to hazmat situations, and portable generators. After due discussion, a motion was made by John Greer who introduced the following Resolution and moved its adoption:

RESOLUTION 2017-08  
Of the City of Albany  
Adoption of the  
Stearns County All-Hazard Mitigation Plan

The motion for the foregoing resolution was seconded by Mayor Daron Gersch and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Daron Gersch, Councilors John Greer, Tom Kasner, 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 presented to the Council the final 2016 Actuarial Valuation Report conducted by Hildi, Inc., Minneapolis, MN, under GASB Statements 67 & 68 for the Albany Firefighters Relief Association. Mr. Schneider noted that the actuarial computations are for the purposes of fulfilling mandated employer accounting requirements and trust accounting requirements. Mr. Schneider noted that under the GASB measurement standards, the plan is financially healthy, funded at approximately 136% of plan assets. Mr. Schneider also noted that the said report and retirement plan for the Albany Firefighters Relief Association is reviewed annually by the Albany Area Fire Board.

Mr. Schneider informed the Council that the Minnesota Legislature recently passed bills that will allow wireless providers to deploy a “small wireless facility” or a “wireless support structure” in the right of way (ROW). Mr. Schneider noted that the Zoning Ordinance will need to be amended because the new legislation makes small wireless facilities and support structures a permitted use in all ROW’s, but the City may make such facilities or structures as a special or conditional use in a ROW located in a single-family residential district.

Mr. Schneider also informed the Council that Stearns County is considering a half-cent sales tax increase that would help pay for an estimated \$9.27 million in road and bridge improvements over the next five years. Mr. Schneider noted that the county is also considering a \$10 wheelage tax increase, but before the 2018 county budget is finalized, officials want to look at all available options for funding road projects.

Councilor Keith Heitzman informed the Council that he received complaints from Ms. Jean Pundsack, 211 Railroad Avenue, regarding semi-tractors and trailers parked on 2<sup>nd</sup> Street, north/south of Railroad Avenue. Mr. Heitzman noted that a new vehicle repair business will be occupying the former Hanauer Motors building at 201 Railroad Avenue, and the owner mentioned to him that the semi-tractor and trailer parking adjacent to his building on 2<sup>nd</sup> Street will present problems for his customers. Mr. Heitzman also noted that he was made aware of another individual who had contacted the Police Department with complaints and concerns about semi-tractor parking in the same area. Mr. Kasner questioned how other cities regulate semi-tractor and trailer parking within commercial and residential districts. Ms. Pundsack informed the Council that she was told by Mr. Schneider that other cities only allow semi-tractor/trailer parking within commercial districts for loading and unloading purposes. Mayor Daron Gersch, with the consensus of the Council, directed the City Clerk/Administrator, to contact other cities for additional information regarding semi-tractor/trailer parking.

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o’clock in the evening on Wednesday, June 21, 2017 and adjourned the meeting at 7:40 PM.

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Tom Schneider  
Clerk/Adm.