

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, April 19, 2023, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were councilors Keith Heitzman, John R. Harlander, Adam Rushmeyer, and Al Amdahl. None were absent for the meeting.

Other's present were Tom Schneider, Clerk/Adm., Police Chief Ozzie Carbajal, Joseph Mergen, Supervisor, Public Works Department, Jeremy Mathiasen, the city Engineer with the firm Stantec, Inc., St. Cloud, MN, Tim Hennagir, Staff Writer, the Star Post, Roland Hanson, resident, and Bryan Schiffler, local business owner.

The council recited the Pledge of Allegiance.

Mayor Tom Kasner requested everyone present for the meeting to remain standing for a moment of silence in honor of Josh Owen, a Pope County Sheriff's Deputy, and former Albany Area High School graduate, who was fatally shot while responding to a domestic disturbance call last week in Cyrus, Minnesota.

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 approve/authorize payroll (3642-3656), electronic payments, transfers, and the payment of the following bills: Check Numbers 72605 to 72633. 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 Board of Review and Equalization held on April 5th and hearing none declared them approved.

Mayor Tom Kasner also called for any corrections or additions to the minutes of the regular meeting of the council held on April 5th and hearing none declared them approved.

Mr. Mergen presented to the council the final design of a six-court pickleball facility (120' x 142'), consisting of a new concrete surface, new fencing, and if need be, corrected soils to be located at the tennis court site in North Park. Mr. Schiffler appeared before the council to inform the council he consulted with a couple of concrete business owners and it was determined by them the existing concrete could be salvaged, saving approximately \$70,000+/- . Mr. Schiffler noted if it was acceptable to the council to salvage the existing concrete, he would only need to add new concrete to the east of the former tennis courts to meet the required pickleball dimensions. Mr. Harlander informed the council the existing concrete is approximately 50 years old and is not in favor of salvaging the concrete having already approved a new concrete surface at the April 5th council meeting or would be in favor of a four-court pickleball facility to reduce costs. Mr. Amdahl noted the Park Board recommended six-pickleball courts and supports their recommendation. Mayor Tom Kasner recommended a site visit be scheduled to review the proposed location of the six-court pickleball courts and pedestrian trail along the northern shoreline of North Lake. Mayor Tom Kasner also noted a meeting be scheduled with individuals from Stearns County Environmental Services to discuss the excavation of a wetland to create a pond southwest of the Jaycee shelter. Mr. Schiffler informed the council if there is apprehension by the council to move forward with his groups park improvements, he would not object to halting further progress of tree/brush removal along the northern shoreline of North Lake and recommended the council consider how they want his group to proceed with park improvements at the May 3rd council meeting. Mayor Tom Kasner noted the city will follow wetland rules and unfortunately there's always a difference of opinion regarding what way to do something.

Mr. Mathiasen presented to the council a Capital Improvement Plan map identifying several streets west of 8th Street between Railroad Avenue and Forest Avenue, including 14th Street to be reconstructed (roadways/utilities) in the future. Mr. Mathiasen noted the project may be broken down into two phases at the time of construction and questioned if the council was in favor of authorizing a

preliminary engineering report. Mayor Tom Kasner noted the information gathered in the report may be used in the future and would only require unit pricing to be updated. After due discussion, a motion was made by John R. Harlander who introduced the following resolution and moved its adoption:

RESOLUTION 2023-19
CALLING FOR A PRELIMINARY
ENGINEERING REPORT
Roadway & Utility Improvements
(Forest Avenue, Midland Avenue, Court Avenue, 9th, 10th, 11th, and 14th Streets)

The motion for the foregoing resolution was seconded by Al Amdahl and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Tom Kasner, Councilors John R. Harlander, Adam Rushmeyer, Al Amdahl, 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.

Councilor Adam Rushmeyer, Planning Commission Liaison, informed the council the Planning Commission held a meeting on April 13th on a request by Ramler Trucking, Inc., 400 13th Street, Albany, MN for a variance to relax the front yard setback of thirty (30') feet to allow for the construction of a 30' x 32' office expansion to facilitate business operations within an M2 Zone. Mr. Rushmeyer informed the council the business is growing and in need of additional office space. After due discussion and upon the recommendation by the Planning Commission, a motion was made by Adam Rushmeyer and seconded by Al Amdahl to approve the request by Ramler Truck and Trailer Repair, 400 13th Street, for a variance to relax the front yard setback of thirty (30') feet to allow for the construction of a 30' x 32' office expansion to facilitate business operations within an M2 Zone as per the following:

- Variance request is to allow the company to increase employment and expand their business operations. A variance for an office expansion was approved by the city in 2006.
- The variance request is consistent with the comprehensive plan in that it encourages new construction, increase employment, and increased property tax base.
- The variance will not be detrimental to the public welfare.
- The variance will allow business to grow and improve office efficiencies and opportunities.
- The variance is not sought solely for reasons of increased financial gain.
- Existing construction of the building and interior shop equipment prevent office expansion within building. The new office expansion will not be any closer to 13th Street than the existing front yard building line.
- The front yard setback is reduced from 30 feet to 14 feet 6 inches.

All voted for the motion and it carried.

Councilor Keith Heitzman, Albany Golf Club Liaison, presented to the council the Albany Golf Club's checkbook register. After due discussion, a motion was made by Keith Heitzman and seconded by Adam Rushmeyer to approve electronic payments, transfers, and the payment of the following: checks 40389-40423. All voted for the motion and it carried. Mr. Heitzman noted the golf course remains closed due to lingering below average temperatures, snow, and several holes on the back nine being flooded from the Two Rivers River by recent snow melt and rains. Mr. Heitzman noted Top Tracer driving range is open and very busy.

Police Chief Ozzie Carbajal informed the council he was approached by the Albany Lions Club with the idea to install an electronic speed sign on a street of his choice to alert motorists of vehicle speeds in addition to the two already installed. Mr. Carbajal noted he would graciously accept the financial donation and is researching a couple of street locations. Mayor Tom Kasner, with the consensus of the

council, directed Mr. Carbajal to purchase and install an electronic speed sign with the donation received by the said Club.

Police Chief Ozzie Carbajal also noted the department had conversations with a potential candidate for the position of full-time Police Patrol Officer and recommended approval to move forward with employment procedures and if favorable, the council will make a formal decision to hire the individual at a future council meeting. Mayor Tom Kasner, with the consensus of the council, directed Police Chief Ozzie Carbajal to move forward with review of employment materials and report back to the council with his final recommendation at a future council meeting.

Mr. Mergen informed the council the Albany Wastewater Treatment Plant facility earned recognition from the Minnesota Pollution control Agency (MPCA) for outstanding operations in the year 2022. Mr. Mergen noted that for a city to receive this recognition, facilities must demonstrate consistent compliance with monitoring, operations, and maintenance requirements, submit accurate, and on-time reports to the MPCA. Mayor Tom Kasner, with the consensus of the council, congratulated Mr. Mergen for his efforts in maintaining and operating one of the best wastewater facilities in the state.

Mr. Mergen also updated the council on progress being made to construct an earthen berm around the main lift station and other buildings at the Wastewater Treatment Plant to protect them from flooding during large rain events and future spring snowmelt. Mr. Mergen noted the said berm will be constructed this summer.

The council took notice of a Minnesota Lawful Gambling application submitted by the Albany FFA Alumni for the purpose of conducting a raffle on October 6, 2023. After due discussion, a motion was made by Mayor Tom Kasner who introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-18
APPROVING MINNESOTA
LAWFUL GAMBLING EXEMPT PERMIT APPLICATION

The motion for the foregoing resolution was seconded by Al Amdahl 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, John R. Harlander, Al Amdahl, and Keith Heitzman, and none voted against the same; whereupon the said Resolution was declared duly passed and adopted.

Mayor Tom Kasner announced the next regular council meeting for 6:30 o'clock or as soon as thereafter on Wednesday, May 3rd and adjourned the meeting at 7:45 PM.

Tom Schneider
Clerk/Adm.