

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, December 19, 2018, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Jack Evens, Al Amdahl, John R. Harlander, and Keith Heitzman. None were absent.

Also, others present were: Tom Schneider, Clerk/Adm., Ozzie Carbajal, Police Chief, Jeremy Mathiasen, City Engineer, with Stantec, Inc., Joe Mergen, Public Works Supervisor, Adam Rushmeyer, Council-Elect, and Mike Kosik, Editor, Albany Enterprise. AHS Students present: Jessica Omann, Emily Goebel, and Mikayla Moritz.

The Council recited the Pledge of Allegiance.

After due discussion, a motion was made by John R. Harlander and seconded by Jack Evens to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 68769 to 68810 and 17190 to 17241. 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 December 19th and hearing none declared them approved.

Open forum/public comments: none.

Mr. Mathiasen presented to the Council final pay application number three for the 2018 North Lake Storm Water Improvements (infiltration basins, stormwater pond with iron-enhanced sand filtration trenches). Mr. Mathiasen noted the work has been inspected and determined that the contractor has successfully completed all tasks within the scope of the project and met the conditions of their contract. Mr. Mathiasen also noted that the contractor will continue to fulfill the maintenance agreement on the plantings in the rain gardens and filtration features through June 2020. Mr. Schneider informed the Council the City received grant monies from the State of Minnesota Clean Water fund in the amount of \$147,096 and the total project cost was \$220,263. After due discussion and upon the recommendation from the City Engineer, a motion was made by Al Amdahl and seconded by Keith Heitzman to approve final payment to Craig Bardson Excavating, Inc., Albany, MN, in the amount of \$8,486.70 for the said Improvements. All voted for the motion and it carried.

Mr. Mathiasen noted that he, Mayor Tom Kasner, Councilor John R. Harlander, and Mr. Schneider met with representatives from the Minnesota Department of Transportation (MnDOT) to discuss proposed 1st Street Intersection Improvements to the three-leg intersection. Mr. Mathiasen noted that State funds have been allocated to the construction in the year 2020. Mayor Tom Kasner noted that a final design has not been approved by MnDOT and discussions will continue to determine what intersection design best fits the community and adjacent businesses.

Councilor Keith Heitzman, Albany Golf Club Liaison, informed the Council that the Albany Golf Club Board of Directors hired Michael Whitlock, Sartell, MN, as the General Manager of the club. Mr. Heitzman noted that the position will begin in January.

The Council took notice of the following Minnesota Lawful Gambling Off-site applications: CHI Health at Home, Albany Women of Today, and Albany Lions Club. After due discussion, a motion was made by Jack Evens who introduced the following Resolutions and moved their adoption:

RESOLUTION 2018-25
APPROVING MINNESOTA
LAWFUL GAMBLING LG220 APPLICATION
FOR EXEMPT PERMIT
(CHI Health Connect at Home)

**RESOLUTION 2018-28
APPROVING MINNESOTA
LAWFUL GAMBLING LG240B APPLICATION
(Albany Women of Today)**

**RESOLUTION 2018-29
APPROVING LG230 MINNESOTA
LAWFUL GAMBLING APPLICATION
(Albany Lions Club)**

The motion for the foregoing Resolutions were seconded by John R. Harlander 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, Jack Evens, and John R. Harlander, and none voted against the same whereupon the said Resolutions were declared duly passed and adopted. The full text of the said Resolutions are on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

The Council took notice of a resolution to certify the location of the election polling place for the year 2019 as required by Mn State Statute. After due discussion, a motion was made by John R. Harlander who introduced the following:

**RESOLUTION 2018-26
A RESOLUTION TO DESIGNATE THE POLLING
PLACE FOR 2019: Albany City Hall
400 Railroad Avenue, Albany, MN 56307**

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 Al Amdahl, Keith Heitzman, Jack Evens, and John R. Harlander, 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 also presented to the Council the proposed 2019 Budget and the amount of property taxes the City proposes to collect to pay for the costs of services the City will provide in the year 2019. After due discussion, a motion was made by Mayor Tom Kasner who introduced the following Resolution and moved its adoption:

**RESOLUTION 2018-27
APPROVING THE 2018 TAX LEVY, COLLECTIBLE IN 2019
Total Levy: \$892,696**

The motion for the foregoing Resolution was seconded by Jack Evens 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, John R. Harlander, Jack Evens, and Keith Heitzman, and none voted against the same whereupon the said Resolution declared duly passed and adopted. The full text of the said Resolution and 2019 Budget is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Mr. Schneider presented to the Council an amendment to Ordinance 40, Camping. Mr. Schneider noted that at a Park Board meeting held on June 25th, the consensus of the Board was not to allow overnight camping in North Park due to the lack of a designated site and limited parking. Mr. Schneider noted that signs were erected in North Park prohibiting camping and the Board will continue to explore options for

camping sites in North Park. After due discussion and upon the recommendation of the Park Board, a motion was made by John R. Harlander who introduced the following amendment to Ordinance 40:

**CITY OF ALBANY
AMENDMENT TO ORDINANCE 40
CAMPING**

The motion for the foregoing amendment 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, John R. Harlander, Jack Evens, and Keith Heitzman, and none voted against the same whereupon the amendment to Ordinance 40, Camping, was declared duly passed and adopted. The full text of the said amendment is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

The Council took notice of a proposed amendment to Ordinance 60, Liquor. Mr. Schneider noted at the last Council meeting the Council discussed options to reduce the On-sale liquor license fee paid to the City if an application is received during the license year which is July 1st through June 30th, a one-year license. After due discussion, a motion was made by John R. Harlander who introduced the following amendment to Ordinance 60, Liquor:

**CITY OF ALBANY
AMENDMENT TO ORDINANCE 60
LIQUOR**

The City Council for the City of Albany, HEREBY ORDAINS that Section 60.09, Subd. 3 of Ordinance 60 Liquor is hereby amended as follows:

1. Section 60.09, Subd. 3 is hereby amended to read as follows:

“Subd.3: Effective Dates. Each license for “on sale” or “off sale” shall be issued for a period of one year from July 1 through June 30. If the application is made during the license year, the City may issue the license for the remainder of the year. If the application is made for an on-sale license for a period of six months or greater, the full license fee shall apply. If the application is made for a period less than six months, a reduced license fee shall apply.”

2. Appendix A shall be amended as follows:

60.09.1	Liquor License Fees	
	Intoxicating Liquor	
	On-Sale – for license period commencing July 1 – December 31	\$1,900
	On-Sale – for license period commencing January 1 or later	\$1,000

3. This Amendment shall be effective upon publication.

This Amendment was approved by the majority of the City Council of Albany on this 19th day of December, 2018.

Tom Kasner, Mayor

Tom Schneider, Clerk/Administrator

(S E A L)

The motion for the foregoing amendment was seconded by Jack Evens 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, John R. Harlander, Jack Evens, and Keith Heitzman, and none voted against the same whereupon the amendment to Ordinance 60, Liquor, was declared duly passed and adopted. The full text of the said amendment is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

The Council took notice of a letter received from Adam Rushmeyer informing the Council that he will resign as a Planning Commission member effective December 31st having been elected to the City Council at the November Municipal Election. After due discussion, a motion as made by Mayor Tom Kasner and seconded by Al Amdahl to accept the letter of resignation requested by Adam Rushmeyer effective December 31st. All voted for the motion and it carried. Mr. Schneider noted that a notice of the vacancy on the Planning Commission for a one-year term was published in the Albany Enterprise and one application was received which will be acted upon at the January 2nd Council meeting.

Mr. Schneider informed the Council that the three-year Park Board term of Ross Voit expires at the end of the year. Mr. Schneider noted that he contacted Mr. Voit regarding his term expiring; whereby Mr. Voit would accept the appointment if the Council were to re-appoint him. After due discussion, a motion was made by Jack Evens and seconded by Keith Heitzman to reappoint Mr. Voit to a three-year term on the Park Board. All voted for the motion and it carried.

Mr. Schneider also informed the Council that the City Attorney and Verizon have not finalized a Site Assessment Agreement and Collocation Agreement for the installation of three small cell structures along Railroad Avenue. Mr. Schneider noted that upon agreement the final documents will be provided to the Council for review and approval.

Mr. Schneider also informed the Council that he contacted area cities to discuss the construction of 1-megawatt solar farms, a 25-year development, adjacent to City limits that could potentially block the extension of municipal utilities for future growth and expansion. Mr. Schneider noted that the City has invested hundreds of thousands of dollars planning for future residential and industrial development. Mr. Schneider noted that Stearns County Zoning regulations do not address restrictions how close a solar farm can be constructed to the City limits. Mayor Tom Kasner, with the consensus of the Council, directed Mr. Schneider to meet with Stearns County Officials and the League of Minnesota Cities (LMC) to discuss a resolution that would restrict how close a solar farm would be permitted to be constructed near the City limits. Mr. Schneider noted that all cities in the State are affected by this issue.

Mayor Tom Kasner presented the following proposed 2019 appointments:

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| Acting Mayor | Tom Kasner |
| Animal Warden | Police Dept. |
| Weed Inspector | Mayor Tom Kasner |
| Assistant Weed Inspector | Joseph Mergen |
| Auditor | Schlenner Wenner Co. |
| City Attorney | Jovanovich, Kadlec & Athmann, PA |
| Emergency Management Director | Steve Blenker |
| Assistant Emergency Management Directors | Gary Winkels |
| Community Education Liaison | Al Amdahl |
| EDA Board members | John R. Harlander, Tom Kasner |
| Equipment Commissioner | Tom Kasner |
| Fire Department Liaison | Tom Kasner |
| Albany Golf Board Liaison | Keith Heitzman |
| Health Officer | Dr. Daron Gersch , MD |
| Labor Commissioners | Keith Heitzman, Mayor Tom Kasner |

Official Depositors	Stearns Bank, Central Mn Credit Union
Official Publication	Albany Enterprise
Park Board Liaison	Al Amdahl
Planning Commission Liaison	Adam Rushmeyer
Police Commissioner	John R. Harlander
Street Commissioner	John R. Harlander
Utility Commissioner	Keith Heitzman
Township Liaison	John R. Harlander
Fire Department Relief Association Ex-Officio	Tom Kasner, Tom Schneider

After due discussion, a motion was made by Al Amdahl and seconded by Keith Heitzman to approve the aforementioned 2019 Mayor Appointments. All voted for the motion and it carried.

Mayor Tom Kasner, on behalf of the City Council, thanked Councilor Jack Evens for his unselfish dedication and commitment to the residents and business community for serving as a Council member the past six-months that began July 5th. Mr. Evens thanked the Council members for their efforts and commitment to the community in making the City such a great place to reside and raise a family. Mr. Evens informed the Council that he is donating his Council wages to the Police Department to be used for new equipment having known former Police Chief James A. Stueve for many years. Mr. Evens also thanked Police Chief Ozzie Carbajal for his military service and all the officers in the department for their exceptional work in the community and school district. Mayor Tom Kasner thanked Mr. Evens for his generosity and support of the Police Department.

Mayor Tom Kasner announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, January 2, 2019 and adjourned the meeting at 7:10 PM.

Tom Schneider, Clerk/Adm.