

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, February 1, 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., Tim Hennagir, Staff Writer, the Star Post, Derek Stommes, Police Patrol Officer, and Jeremy Mathiasen, the city Engineer with the firm Stantec, Inc., St. Cloud, MN. Others present were: Tom Blattner, Dalton Herzog, Robert Havard, and Frank Haynes.

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 Al Amdahl and seconded by John R. Harlander to approve/authorize payroll (3554-3568), electronic payments, transfers, and the payment of the following bills: Check Numbers 72454 to 72480. 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 January 18th and the joint meeting of the council and Park Board and hearing none declared both approved.

Open forum/public comments: none

Dalton Herzog, appeared before the Council on behalf of the Albany Area Jaycees, to request approval of a Large Gathering application for a Special Event Permit for their annual Ice Cup Golf Challenge to be held on North Lake on Saturday, February 25th. Mr. Herzog noted the organization is hoping to register 50+/- teams to compete against each other on a make shift golf course on North Lake. Mayor Tom Kasner informed the council the event is a fundraiser and appreciates the efforts of the members in organizing the event. After due discussion, a motion was made by Mayor Tom Kasner and seconded by Adam Rushmeyer to approve the Special Event Permit for the aforesaid activity. All voted for the motion and it carried.

Mr. Mathiasen presented to the council the following bids received for the 2023 Capital Improvements (Forest Avenue, (from 1st street to 6th street), 3rd, 4th and 5th streets from Midland Avenue to Forest Avenue, 2nd street from Midland Avenue to Lake Avenue and adjacent alleys that were publicly opened at 11:00 AM, on Wednesday, February 1st:

<u>Contactor</u>	<u>Base Bid</u>
Breitbach Construction Co.	\$2,528,586.39
LaTour Construction, Inc.	\$2,639,659.10
C & L Excavating, Inc.	\$2,749,112.45
Kuechle Underground, Inc.	\$2,843,197.04
Northdale Construction Co., Inc.	\$2,882,221.68
Duninck, Inc.	\$3,168,442.80
J.R. Ferche, Inc.	\$3,190,666.45
Meyer Contracting, Inc.	\$3,566,457.59
R.L. Larson Excavating, Inc.	\$3,695,227.30

Mr. Mathiasen informed the council the low base bid is Breitbach Construction Company, Elrosa, MN, in the amount of \$2,528,586.39. Mr. Mathiasen noted the low bid is approximately 6.9% above the engineers most recent construction cost estimate. After due discussion and upon the recommendation by the city engineer, a motion was made by John R. Harlander who introduced the following resolution and moved its adoption:

RESOLUTION 2023-08
RECEIVING BIDS AND AWARDING CONTRACT
2023 CAPITAL IMPROVEMENTS PROJECT
(Street and Utility Improvements)
(Breitbach Construction Co. - \$2,528,586.39)

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, Al Amdahl, John R. Harlander, 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. Mathiasen appeared before council to inform the council he and others from Stantec, Mayor Tom Kasner, Mr. Schneider, Bryan Schiffler and others from his team met on January 27th to discuss developing a feasibility study for the North Lake Pedestrian Trail Improvements. Mr. Mathiasen informed the council the scope includes creating the proposed alignment and cross section of the trail along the west side of TH 238. Mr. Mathiasen noted the preliminary design will show the proposed trail and the associated sloping needed towards the lake. Mr. Mathiasen also noted the deliverables will show how much of the east side of the North Lake will be impacted and will also be able to provide a rough estimation of the amount of fill that would be needed for this approach. After due discussion, a motion was made by Adam Rushmeyer and seconded by Al Amdahl to authorize the preparation of a feasibility study for the North Lake Pedestrian Trail Improvements along the west side of TH238 at a cost estimate between \$3,600 to \$4,800. All voted for the motion and it carried. Mayor Tom Kasner noted the costs associated with the said study are to be paid for by donations received for the proposed improvement.

Mr. Mathiasen also informed the council the other topic discussed at the January 27th meeting was the potential development of a Master Park Plan for North Park Improvements. Mr. Mathiasen noted several new recreational activities have been proposed in North Park and revised over the past several months; whereby the consensus of those individuals attending the January 27th meeting was to move forward with the development of a Master Park Plan. Mr. Mathiasen presented two options that outlined Stantec's proposed scope of services to prepare a plan at a cost estimate between \$6,200 and \$8,200. Mr. Harlander questioned if there is a need for any park improvements and would not consider spending any engineering fees for a park plan until needs are identified. Mayor Tom Kasner informed the council this is a big opportunity for the community and the Park Board and council should obtain as much information as possible to identify future maintenance costs if any new amenities in the park are considered. Mr. Mathiasen noted the costs associated with the said plan would be paid for by donations received. Mayor Tom Kasner, with the consensus of the council, directed Mr. Schneider to schedule a Park Board meeting with the city engineer, city staff, and Bryan Schiffler's team to consider the development of a potential Master Park Plan for North Park.

Councilor Adam Rushmeyer, Planning Commission Liaison, informed the council the Planning Commission held a meeting on January 23rd for the purpose of considering an ordinance amendment to the water and sewer trunk charges paid to the city by a developer upon approval of a final plat or subdivision. Mr. Rushmeyer informed the council the current language requires developers to pay trunk fees on total acreage and does not take into account wetlands and public right-of-way which is not developable acreage. Mr. Rushmeyer noted the purpose of each amendment is to calculate the charges based on total developable acreage less delineated wetlands and dedicated public right-of-way. Mr. Mathiasen informed the council the proposed language is consistent with what other cities charge for water and sewer trunk fees. After due discussion, a motion was made by Adam Rushmeyer to approve the following ordinance amendments:

CITY OF ALBANY
AMENDMENT TO ORDINANCE 30
MUNICIPAL WATER SYSTEM

**CITY OF ALBANY
AMENDMENT TO ORDINANCE 31
MUNICIPAL SEWER SYSTEM**

The motion for the foregoing ordinance amendments was 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 Adam Rushmeyer, Al Amdahl, John R. Harlander, and Keith Heitzman, and none voted against the same whereupon the said amendments was declared duly passed and adopted. The full text of the said amendments are on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

The council took notice of a LG220 Minnesota Lawful Gambling exempt permit application submitted by the Holy Family School for the purpose of conducting a raffle at the Albany Golf Club, 500 Church Avenue, on June 19, 2023. After due discussion, a motion was made by Mayor Tom Kasner who introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2023-07
APPROVING MINNESOTA
LAWFUL GAMBLING EXEMPT PERMIT APPLICATION**

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, Al Amdahl, John R. Harlander, 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, February 15, 2023, and adjourned the meeting at 7:10 PM.

Tom Schneider
Clerk/Adm.