

Pursuant to due call and notice thereof a joint meeting of the Council and Park Board 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, February 1, 2017, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors John Greer, Tom Kasner, Keith Heitzman, and John R. Harlander. None were absent. Also present were: Ross Voit, Park Board Chairman, Scott Daninger, Park Board member, Tom Schneider, Clerk/Adm., Jeremy Mathiasen, City Engineer with Stantec, Inc., Joe Mergen, Public Works Supervisor, Andrew Gravidahl, Police Patrol Officer, Jason Selix, resident, and Mike Kosik, Editor, Albany Enterprise.

The Council recited the Pledge of Allegiance.

After due discussion, a motion was made by John Greer and seconded by John R. Harlander to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 67047 to 67076 and 16416 to 16429. All voted for the motion and it carried.

Mayor Daron Gersch called for any corrections or additions to the minutes of the regular Council meeting held on January 18th and hearing none declared them approved.

Matthew Quinn, Chief Deputy for the Stearns County Attorney's office, appeared before the Council to update the Council on the activities for the 2016 Adult Diversion Program. Mr. Quinn provided the council and public with written materials related to the said Program. Mr. Quinn noted that there were no adults who qualified for the diversion program in the City of Albany, but there were three juveniles who qualified and each one successfully completed the diversion. Mayor Daron Gersch thanked Mr. Quinn for attending the meeting and providing information related to the said program.

Dan Edgerton, Stantec, and Wayne Cymbaluk, Stearns County Soil and Water Conservation District, were present for the meeting.

Mr. Mathiasen presented to the Council and Park Board members several options for storm water infiltration basin systems for the 2017 Water Based Infiltration and Wetland Restoration Improvements in North Park. Mr. Edgerton noted that fifty-eight (58) acres in Albany Township contribute to the southerly flow of storm water in an east and west ditch or two watersheds in North Park, which directly affects the water quality in North Lake. Mr. Edgerton noted that the primary goal is to remove total suspended solids and phosphorus; whereby the secondary goal is public education with visible features and esthetics in North Park. Mr. Mathiasen noted that using the soils data obtained from the subsurface exploration, soil borings, and the assumptions made regarding total suspended solids and total phosphorus loadings by land use, Stantec was able to calculate the removal percentages and pounds of removal for various sized filtration basins in each watershed. Mr. Edgerton noted that the proposed bio-retention features in the east and west watershed locations are slight depressions commonly known as rain gardens with plant materials that will include annual maintenance such as periodic weeding, debris removal, and removal of accumulated silt if needed. Mr. Greer noted that the City wants to construct the most functional bio-retention feature that removes the highest amount of phosphorus and suspended solids with the least amount of funds. Mr. Daninger questioned the depth of each infiltration basin feature and retention time of the storm water in each feature. Mr. Edgerton noted that the depth of each feature will be one and one-half (1 ½) feet and the retention time will be forty-eight (48) hours. Mr. Kasner questioned if larger features should be constructed to treat larger volumes of storm water. Mr. Mathiasen noted that his analysis essentially found that smaller, more frequent filtration basins will likely provide more treatment and more affordable than a single large basin. Mr. Cymbaluk noted that no entity has the funds to construct large infiltration basins to store and treat storm water from large rain fall events. Mr. Cymbaluk noted that the proposed smaller infiltration basins will make the most impact with the funds available. Mr. Voit questioned if any improvements will be considered for the wetland located south of the softball field. Mr. Edgerton noted that if funds remain, the hydrology of the wetland may be improved by having the storm water flow into and out of the wetland. Mayor Daron Gersch, with the consensus of the Council and Park Board members, directed Stantec to consider smaller filtration basins in the east watershed near the softball field and west

watershed area north of the Lions' Shelter with the opportunity to add best management practices (BMP's) in the future if funds are available. Mr. Mathiasen noted that Stantec will prepare proposed final design on filtration basin shapes, field surveys, and accurate cost estimate for the March 1st Council meeting.

Allison Dudek, Stearns County Human Services Public Health Division, was present for the meeting.

Mr. Mathiasen presented to the Council the following scope of services to develop a Safe Routes to School Program (Bicycle and Pedestrian) for the City:

1. Review of existing infrastructure and creating sidewalk and trail map.
2. Meetings involving steering committee.
3. Public Process and Input.
4. Develop Bicycle and Pedestrian Transportation Network, Bicycle and Pedestrian Master Plan, and preparation of an Implementation Plan.

Mr. Mathiasen noted that the cost to perform the scope of services listed is \$15,550. Ms. Dudek informed the Council that she and her staff will coordinate the steering committee meetings, provide meeting materials, and will lead the efforts to obtain public feedback. Ms. Dudek noted that she will seek approval of Statewide Health Improvement Partnership (SHIP) funds in an amount of \$10,000; whereby additional funds will need to be provided by the City and/or Albany Area Schools. Mr. Greer noted that when the plan is completed it will provide the City with the opportunity to apply for state funds to implement improvements listed in the plan. After due discussion, a motion was made by Mayor Daron Gersch and seconded by John Greer to exceed the contract agreement between the City and Stantec in the amount not to exceed \$15,550. All voted for the motion and it carried.

Pursuant to due notice, at 8:00 pm, Mayor Daron Gersch opened the public hearing on a request by Jason and Erin Selix, to vacate that part of a 5-foot drainage and utility easement over, under and across the Northeasterly 5 feet as measured perpendicular to and parallel with the northeasterly line of Lot 14, Block 3, as shown on the plat of WHISPERING OAKS AT TWO RIVER, according to the recorded plat thereof, Stearns County, Minnesota lying northwest of the following described line: commencing at the northerly most corner of said Lot 14: thence South 39°15'05" East, plat bearing, along said northeasterly line of Lot 14, a distance of 138.19 feet, to the point of beginning of said line to be described: thence South 68°05'17" West 143.52 feet and said line there terminating, EXCEPTING THEREFROM the Northwesterly 10 feet thereof as measured perpendicular to and parallel with the northwesterly line of said Lot 14 AND that part of a 5 foot drainage and utility easement over, under and across the Southwesterly 5 feet as measured perpendicular to and parallel with the southwesterly line of Lot 15, Block 3, as shown on the plat of WHISPERING OAKS AT TWO RIVER, according to the recorded plat thereof, Stearns County, Minnesota, lying northwest of the following described line: commencing at the westerly most corner of said Lot 15: thence South 39°15'05" East, plat bearing, along said southwesterly line of Lot 15, a distance of 138.19 feet, to the point of beginning of said line to be described: thence North 47°09'37" East 159.06 feet and said line there terminating, EXCEPTING THEREFROM the Northwesterly 10 feet thereof as measured perpendicular to and parallel with the northwesterly line of said Lot 15. No written comments were received by the City. Mr. Schneider noted that proper petition was received by Jason and Erin Selix, the property owners, and a notice was published in the Albany Enterprise on January 11th and January 18th. Mayor Daron Gersch closed the public hearing at 8:05 pm. After due discussion, a motion was made by Tom Kasner and seconded by John R. Harlander to officially vacate the drainage and utility easement legally described above and to direct Mayor Daron Gersch to execute the Notice of Completion of said vacation.

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.

Councilor Keith Heitzman, Albany Golf Club Liaison, informed the Council that a notice was published in the Albany Enterprise on February 1st accepting bids for thirty (30) 2017 Yamaha Drive 2

Quietech EFI Golf Carts to be opened at 3:00 pm on February 10th. Mr. Heitzman noted that no bids were received by the City for the existing used golf carts owned by the club identified as surplus property, but a prospective buyer has indicated they will purchase all thirty (30) used golf carts from the club. Mr. Heitzman also noted that an anonymous donor will donate funds to the City in an amount after trade-in value for fifteen (15) new golf carts. Mayor Daron Gersch, with the consensus of the Council, had no objection for the club to advertise for bids for thirty (30) 2017 Yamaha Drive 2 Quietech EFI Golf Carts.

Mr. Schneider presented a Petition to Vacate of Drainage and Utility Easement in the Whispering Oaks at Two River subdivision (Lot 18 and 19, Block 1) from Keith and Karen Heitzman, Albany, for the purpose of constructing a new single-family dwelling in the future. After due discussion, a motion was made by John R. Harlander and seconded by Tom Kasner to set a public hearing for at 6:30 o'clock or as soon thereafter on Wednesday, March 1st at the Albany City Hall. Voting for the motion were Mayor Daron Gersch, Councilors John R. Harlander, John Geer, and Tom Kasner and none voted against. Councilor Keith Heitzman abstained and the motion carried.

The Council took notice of the following MN Lawful Gambling LG220 Exempt Permit application submitted by the Knights of Columbus Council 3628 (Raffle, April 24th). Mr. Schneider noted this is the clubs annual raffle event. After due discussion, a motion was made by Tom Kasner who introduced the following resolution and moved its adoption:

RESOLUTION 2017-01
APPROVING MINNESOTA OFF-SITE LAWFUL GAMBLING
(Knights of Columbus Council 3628)

The motion for the foregoing Resolution 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 Daron Gersch, Councilors Tom Kasner, John R. Harlander, Keith Heitzman, and John Greer 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.

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, February 15, 2017 and adjourned the meeting at 8:25 PM.

Tom Schneider
Clerk/Adm.