

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, February 15, 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: Tom Schneider, Clerk/Adm., Jeremy Mathiasen, City Engineer with Stantec, Inc., Ozzie Carbajal, Albany Police Chief, Joe Mergen, Public Works Supervisor, Andrew Gravdahl, Police Patrol Officer, Rod Gerads, resident, Wayne and Carol Nierenhausen, Business Owners, Greg Johnson, Albany High School Superintendent, Daren Teske, 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 Keith Heitzman to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 67077 to 67126 and 16430 to 16445. All voted for the motion and it carried.

Mayor Daron Gersch called for any corrections or additions to the minutes of the joint meeting of the Council and Park Board meeting held on February 1st and hearing none declared them approved.

Deb Haus, Appraiser, for the Stearns County Assessor's Office, appeared before the Council to present information pertaining to the 2017 Annual Assessor's Report and taxes payable for the year 2018. Ms. Haus provided the Council with a list of qualified sales between October 2015 and September 2016. Ms. Haus noted that the legal assessment level is considered to be 100% of market value, but an acceptable assessment is achieved when the overall sales ratio that measures the relationship between sale prices and the assessor's estimated market values is between 90% and 105%. Ms. Haus noted that the City's ratio is 95.6% which is acceptable. Ms. Haus noted that others in her office will review commercial and industrial properties. Ms. Haus also noted that residential properties will see anywhere from zero (0%) to four (4%) percent increase depending on location. Ms. Haus noted that the City's Board of Review/equalization meeting will be held at City Hall in May and notices to be mailed by Stearns County to property owners in the month of April.

Mr. Mathiasen presented to the Council a draft Intersection Control Evaluation (ICE) Report related to the existing intersection of Railroad Avenue and 1st Street, a major collector with each designated as State Highway No. 238, a 3-legged intersection with approaches on the north, west, and east. Mr. Mathiasen noted that the following intersection control alternatives were evaluated in the report: 1) No building alternative: Thru/Stop controlled on the east leg, 2) Alternative No. 1: All-way stop, 3) Alternative No. 2: Roundabout, and 4) Alternative No. 3: Southbound stop. No traffic signal is considered or evaluated in said Report. Mr. Mathiasen informed the Council that this intersection has been a point of discussion by the Council and public for quite some time due to its traffic congestion vehicle accidents, and confusion by the public when determining who has the right of way when approaching the intersection. Mr. Mathiasen noted that the east approach is known to experience long delays with large volumes around the start and finish of the school day reaching more than 800 feet during these times causing driver confusion and making behavior more passive at the intersection. Mr. Mathiasen noted that crash data for ten (10) years (2006-2015) was obtained from MnDOT Crash Mapping Analysis Tool showing twelve (12) accidents during this period at the said intersection which is significant. Mr. Mathiasen presented the following existing and forecast average daily traffic volumes:

<u>Roadway Segment</u>	<u>Existing 2017</u>	<u>Forecast Year 2037</u>
1 st Street (north of Railroad Ave.)	3,200	3,900
Railroad Avenue (west of 1 st St.)	6,000	7,200
Railroad Avenue (east of 1 st St.)	3,600	4,400

Mr. Mathiasen noted that traffic control alternatives were analyzed for current and forecasted in the future; whereby a roundabout is expected to provide the fewest traffic delays, minimize confusion,

reduce personal injury accidents, and provide safety benefits for pedestrians, but a higher construction cost. Mr. Gerads questioned if there have been issues at the 4-way stop intersection, (8th Street and Railroad Avenue); whereby stop signs would be cheaper than constructing a roundabout. Mr. Teske questioned if there would be adequate access to his property at 121 Railroad Avenue if a roundabout was constructed. Mr. Nierenhausen also questioned access to Albany Oil Company, 110 Railroad Avenue. Mr. Mathiasen noted that he and other City personnel are to meet with MnDOT next week to discuss the ICE report and State Aid funds. Mr. Greer recommended that Mayor Daron Gersch, the City Clerk/Administrator, and another member of the Council meet with the property owners at 121 Railroad Avenue and 121 1st Street to discuss the idea of acquiring their property to increase the right of way for the purpose of constructing a new intersection that will improve traffic congestion and confusion by the public. Mr. Kasner noted that the City should not purchase any additional right of way if its determined by MnDOT that none is needed. After due discussion, a motion was made by John Greer and seconded by Tom Kasner to instruct Mayor Daron Gersch, the City Clerk/Administrator, and another Council member to meet with the property owners at 121 Railroad Avenue and 121 1st Street to discuss the idea of the City purchasing their property if MnDOT determines that additional right of way will be required to construct a new intersection design (1st Street and Railroad Avenue). All voted for the motion and it carried. Councilor Tom Kasner volunteered to be a member of the committee to meet with the property owners.

Daren Teske, 121 Railroad Avenue, appeared before the Council to question why he received a water bill in the amount of \$725.00 from the City when he was informed by the Clerk/Administrator that there would be no further water bills after the fire in April 2016 that destroyed his rental house. Mr. Mergen informed the Council that the tenant or renter instructed him not to turn off the water after the fire because it was needed to clean personal items salvaged and use of the toilet. Mr. Mergen noted that typically a property owner contacts him to discontinue the water service and remove the water meter prior to cold temperatures, but no phone call was ever received. Mr. Mergen noted that in December 2016 it was brought to his attention that there was a water leak on the property, the water was turned off and meter read. Mr. Schneider noted that he was unaware that the tenant instructed the Public Works Department not to turn off the water. Mr. Teske noted that nobody in the Public Works Department or tenant informed him that the water was never turned off after the fire. Mr. Greer noted that there needs to be better communication between all parties involved which would have prevented the water meter from freezing which caused the water leak. After due discussion, a motion was made by John R. Harlander and seconded by John Greer to require Mr. Teske to pay one-half of the water bill. All voted for the motion and it carried.

Pursuant to due notice, at 7:40 pm, Mayor Daron Gersch called the public hearing into session to consider an amendment to the Albany Schedule of Fees and Charges Sections Water Rates 30.19.1, 30.19.5, and Sections Sewer Rates, 31.11/32.26. Mr. Schneider noted that a proper notice was published in the Albany Enterprise on February 1st. Mr. Schneider informed the Council that the proposed increase for water rates is two (2%) percent for a period of three (3) years and the sewer rate is two (2%) percent for a period of four (4) years based on future department operations and capital purchases. Mr. Schneider noted that David Drown Associates, the City's financial consultant, recommended the increases based on their review of each department operations. Mr. Gerads questioned if funds from each department are paying for City operations other than water and sewer. Mayor Daron Gersch noted that in 2014 and 2015 utility funds paid for reconstruction improvements that only related to water and sewer improvements rather than issuing general obligation bonds. Mayor Daron Gersch noted that there are significant administration costs related to bonding for improvement projects. Mayor Daron Gersch closed the public hearing at 7:50 PM. After due discussion, a motion was made by John Greer who introduced the following:

CITY OF ALBANY
ORDINANCE 2017-01
AMENDMENT TO APPENDIX A
Albany Schedule of Fees and Charges

The motion for the foregoing Ordinance 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 Keith Heitzman, John R. Harlander, Tom Kasner, and John Greer, and none voted

against the same whereupon the said Ordinance declared duly passed and adopted. The full text of the said Ordinance is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Councilor Keith Heitzman, Albany Golf Club Liaison, informed the Council that a notice was published in the Albany Enterprise on February 1st seeking bids for thirty (30) 2017 Yamaha Drive 2 Quietech EFI Golf Carts; whereby one bid was received from the Albany Chrysler Center, Albany, MN, in the amount of \$143,850. Mr. Heitzman noted that a company in the business of purchasing used golf carts and providing golf cart rentals for area golf tournaments agreed to purchase the clubs twenty-nine (29) used golf carts for \$63,800. Mr. Kasner noted that one (1) used golf cart had been sold a week or so ago to a private party. Mr. Heitzman noted that the cost to the club to upgrade to new golf carts is \$78,000+/-, but an anonymous donor will pay the City for one-half the of those costs (\$39,000+/-). Mr. Heitzman noted that the Albany Golf Board is in support of purchasing new carts, accepting the donation, and recommended that the City provide the club with a low interest loan in the amount of up to \$40,000 for the remaining amount. After due discussion, a motion was made by Keith Heitzman and seconded by John Greer to approve the Albany Chrysler Center bid for thirty (30) 2017 Yamaha Drive 2 Quietech EFI Golf Carts in the amount of \$143,850, accept the donation for the new golf carts, and execute a one (1%) percent low interest loan in the amount up to \$40,000 payable over a five (5) year period with the club. Voting for the motion were Mayor Daron Gersch, Councilors John R. Harlander, Keith Heitzman, and John Geer. Councilor Tom Kasner abstained and the motion carried.

Mr. Heitzman also informed the Council that the Albany Golf Board approved the purchase of a new greens mower in the amount of \$25,000+/- to replace an older mower; whereby the board requests the City consider a low interest loan in the amount up to \$25,000 payable over a five (5) year period. Mr. Heitzman noted that the board reviewed their 2017 budget and are confident there will be adequate revenues to pay the additional costs for the new greens mower and golf carts. After due discussion, a motion was made by John R. Harlander and seconded by Mayor Daron Gersch to approve a one (1%) percent low interest loan in the amount up to \$25,000 payable over a five (5) year period. Voting for the motion were Mayor Daron Gersch, Councilors John R. Harlander, Keith Heitzman, and John Geer. Councilor Tom Kasner abstained and the motion carried.

Mr. Mergen appeared before the Council to inform the Council that the Stearns County Highway Department will be seal coating 6th Street and Soo Line Avenue in 2017 which is designated as Stearns County Road #53. Mr. Mergen noted the City's cost will be \$13,600+/- . After due discussion, a motion was made by John Greer and seconded by John R. Harlander to approve the project and City's portion of financing. All voted for the motion and it carried.

Mr. Schneider presented to the Council a request for a Temporary Construction Easement (360 SF) by the Minnesota Department of Transportation (MnDOT) for the 2018 1st Street reconstruction improvements (State HWY #238) for City property at 101 Railroad Avenue. Mr. Schneider noted that the offer for the said easement is \$500 and recommended approval. After due discussion, a motion was made by John Greer and seconded by John R. Harlander to instruct Mayor Daron Gersch to execute the said easement on behalf of the City. All voted for the motion and it carried.

Mr. Schneider informed the Council that there is a bill in front of the Minnesota Legislature, HF #379, that would allow equipment to be placed on utility poles in public right of way and any other property a local government unit has an interest in and has made available for commercial purposes in addition to preventing cities from negotiating zoning, rates, permit timelines, and maintenance as it relates to the installation of emerging wireless infrastructure. Mr. Schneider noted that small cell wireless companies are lobbying for similar legislation state by state as they and other carriers prepare to install infrastructure to create new 5G cellular network. Mr. Schneider also noted that the League of Minnesota Cities is asking its members to contact their legislators to communicate objections to this legislation, and ensure that local governments continue to have authority to exercise control over this core function of government to manage public assets. After due discussion, a motion was made by John R. Harlander and seconded by John Greer to instruct Mayor Daron Gersch to execute a letter objecting to the proposed

legislation, bill HF#379, to be mailed to Representative Paul Anderson and Senator Torrey Westrom. All voted for the motion and it carried.

Mr. Schneider informed the Council that Joseph Mergen, Public Works Supervisor, is a recipient of a Certificate of Commendation from the Minnesota Pollution Control Agency for the 2016 Wastewater Treatment Facility Operational Award for the outstanding operation, maintenance, and management of the City's Wastewater Treatment system. Mayor Daron Gersch thanked Mr. Mergen for his outstanding administration of the City's Wastewater Treatment facility.

Mr. Schneider also informed the Council that the Stearns County Park Department will be submitting an application to the Federal Recreational Trail Program for funding to assist with seal coating and crack filling the Lake Wobegon Trail surface between Albany and Avon. Mayor Daron Gersch directed the City Clerk/Administrator to submit a letter of support for the general maintenance improvements.

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, March 1, 2017 and adjourned the meeting at 8:15 PM.

Tom Schneider
Clerk/Adm.