

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 Acting Mayor John R. Harlander at 6:30 o'clock in the evening on Wednesday, January 15, 2020, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Adam Rushmeyer, Al Amdahl, and Keith Heitzman. Mayor Tom Kasner was absent.

Others present were: Jeremy Mathiasen, City Engineer, with Stantec, Inc., Joe Mergen, Public Works Supervisor, Kate Asfeld, Editor, Albany Enterprise, Jason Murray, David Drown Associates, and Tom Schneider, Clerk/Adm. Residents present were: Jane and Darrell Heitzman, Gerald and Ione Heinen, Chris and Traci Frieler, Sharon and Pat Timp, Ken Kortenbusch, Rolland Gilk, John Kander, Charles Kauder, Barry Hudock, Anthony Stangler, Chad Frieler, Dan Sorenson, Geri Linneman, Nancy Weiling, Jeff Torgerson, Mark Rosenberger, Matthew Koopmeiners,

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 Keith Heitzman and seconded by Al Amdahl to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 69621 to 69663 and 17712 to 17738. All voted for the motion and it carried.

Acting Mayor John R. Harlander called for any corrections or additions to the minutes of the regular meeting of the Council held on January 2nd and hearing none declared them approved.

Open forum/public comments: none.

Lindsey Clancy, Albany Mutual Telephone Association (AMTA) Director of Sales and Marketing, appeared before the Council to present a resolution for the City to support telecommuting opportunities and telecommuter forward certification. Ms. Clancy noted the certification means the City has made a concerted effort to promote telecommuting opportunities for existing and new residents; whereby AMTA has provided the broadband infrastructure to the home increasing economic development opportunities. Ms. Clancy also noted the certification may encourage people to move to Albany having the ideal remote working environments because of the broadband connectivity that makes telecommuting possible. After due discussion, a motion was made by Adam Rushmeyer who introduced the following Resolution and moved its adoption:

RESOLUTION 2020-03
IN SUPPORT OF TELECOMMUTIING OPPORTUNITIES
AND
TELECOMMUTER FORWARD CERTIFICATION

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: Councilors Al Amdahl, John R. Harlander, Adam Rushmeyer, 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 is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Pursuant to due notice, at 6:38 PM, Acting Mayor John R. Harlander called the public hearing into session to consider certain improvements consisting of street, storm sewer, sanitary sewer, water main, water services and sewer services improvements, to wit: 8th Street (from Midland Ave. to Aliva Ave.), Midland Avenue (from 8th Street to 9th Street.), Forest Avenue (from 7th Street to 9th Street), Lake Avenue (8th Street to 215-feet east of 8th Street.), and Albany Avenue (from 13th Street to 8th Street) as described in and in accordance with the preliminary plans and report prepared by Stantec Consulting Services, Inc., consulting engineers for the City. A notice of the public hearing was published in the Albany Enterprise December 31st and January 8th. Mr. Mathiasen informed the public the streets had been identified to be

reconstructed in the City's Capital Improvement Plan and the estimated cost of the improvements is nearly \$2 million dollars. Mr. Mathiasen noted construction will include new streets, sidewalks, water main, sewer main, water and sewer services, curb, and storm sewer including the reconstruction of Albany Avenue. Mr. Mathiasen provided information to the methodology the City intends to use to calculate individual assessments for affected properties. Mr. Mathiasen also noted there is a two-year warranty on the construction beginning after the substantial completion date. Mr. Murray appeared before the Council to discuss the City's ability to finance the project and impact on the City's tax capacity rate in the future. The following property owners appeared before the Council:

- Chris Frieler, 804 1st Avenue, questioned if his sprinkler system near the edge of the bituminous on Albany Avenue will need to be moved prior to construction and does not see a benefit to pay an assessment if he is prohibited from installing a driveway to access Albany Avenue. Mr. Mathiasen noted all sprinkler systems should be removed from the public right of way by each property owner prior to construction. Mr. Schneider noted driveway access to Albany Avenue was not permitted as per Planning Commission and Council action when the Trails Edge plat was approved in 2005, but may be reconsidered.
- Mark Rosenberger, 820 Albany Avenue, questioned if access to his property will be maintained during construction if emergency assistance is requested for a family member. Mr. Rosenberger recommended the project be delayed a year to accommodate a family member's illness. Mr. Mathiasen noted police and fire department personnel will be able to access properties during the project. Mr. Rosenberger also questioned if there is any water and sewer main to be installed on Albany Avenue. Mr. Mathiasen noted there is no water and sewer main on Albany Avenue.
- Darrell Heitzman, 828 Albany Avenue, informed the Council vehicles are speeding on Albany Avenue and the traffic has increased over the years which recommended the street be monitored for speed by the police department. Mr. Harlander noted the police department will be contacted with his concerns. Mr. Heitzman questioned if commercial businesses pay higher assessments than residential. Mr. Mathiasen noted a commercial business will pay more for larger utilities if they are required and properties abutting the project located in the Township will have a deferred assessment to be paid upon annexation.
- Barry Hudock, 231 8th Street, questioned if construction will prohibit access to homes for a long period of time. Mr. Mathiasen noted access will be maintained, but weather events may cause delays longer than desired.
- Chad Frieler, 221 8th Street, questioned if the alley to be reconstructed behind his residence will be inaccessible during the summer being, he has a recreational vehicle (RV) parked in the rear alley along his garage. Mr. Mathiasen noted it will be inaccessible for a short time when the alley is reconstructed and notice will be given to abutting residents.
- Dan Sorenson, 820 Midland Avenue, informed the Council his sump pump drains into a catch basin behind the sidewalk and questioned how the new construction will affect the operation of his sump pump. Mr. Sorenson also questioned how assessments are calculated for corner lots and if the new sidewalk will be reconstructed in the same location. Mr. Mathiasen noted his sump pump can be connected to new drain tile beneath the curb and the sidewalk will be placed in the same location. Mr. Harlander questioned if the new sidewalk should be installed abutting the curb similar to other areas in the City. Mr. Mathiasen noted it may make sense to install the new sidewalk abutting the curb and will review the design. Mr. Mathiasen also noted assessments will be payable over a 15-year period at an interest rate to be determined by the Council. Mr. Sorenson questioned if trees along the boulevard would be removed. Mr. Mathiasen noted trees will be removed because boulevard trees cause damage to services, sidewalks, curb and gutter.
- Geri Linneman, 741 Lake Avenue, questioned if the Albany Area Community Center would be assessed being their organization is tax exempt and pay no property taxes. Mr. Mathiasen noted

the property would be assessed for the improvements which has been done in the past with other tax-exempt properties. Ms. Linneman informed the Council delivery trucks access the property and questioned if access will become an issue during construction. Mr. Schneider noted truck delivery schedules can be communicated with the on-site City inspector.

- Charles Kauder, 820 Forest Avenue, informed the Council he would prefer the sidewalk along his property to abut the curb so his vehicles parked in his driveway don't block the sidewalk. Mr. Kauder also questioned if the alley north of Midland Avenue between 8th and 9th Street will be reconstructed to the edge of his rear property because the existing alley near his rear yard is grass. Mr. Mathiasen noted he will look at the property to determine what makes the most sense for both the City and Mr. Kauder.
- Rolland Gilk, 321 8th Street, questioned the location of a new sidewalk and if the elevation of the existing street will be same after construction. Mr. Mathiasen noted the new sidewalk will be on the east side of 8th Street beginning on Midland Avenue and extending northly to Aliva Avenue and there are no plans to change the elevation of the street in this location.
- Gerald Heinen, 441 8th Street, informed the Council his sump pump discharges ground water into the street, but due to the elevation of the street, the ground water circles back and pools in his driveway. Mr. Heinen questioned if this issued can be resolved with the new street construction. Mr. Mathiasen noted his sump pump can be connected to the new drain tile beneath the curb which will solve his problems with water pooling in his driveway.
- Marvin Sand, 240 8th Street, informed the Council if his trees on Forest Avenue become an issue during construction, he has no objection if they are removed. Mr. Sand also requested his driveway apron be expanded to accommodate vehicles parked in front of his detached garage. Mr. Mathiasen noted driveway aprons will be staked and shortly thereafter, property owners can verify the appropriate width.
- Pat Timp, 401 7th Street, appeared before the Council to inform the public the drain tile beneath the curb works great having connected his sump pump and rain gutters to the new drain tile last summer. Mr. Timp also noted the quality of the black dirt behind the curb was very poor which contained rocks and glass; whereby he hired a private landscaper to complete the restoration work along his boulevard. Mr. Mathiasen noted the bid item for black dirt requires it to be screened which will eliminate concerns from property owners.

Mr. Schneider informed the public property owners considering new water and sewer services to replace aging services from their home to the service connections at the edge of the right of way should contact local contractors and not the general contractor for this project. Mr. Schneider also noted the general contractor will not replace private driveways beyond the right of way and local contractors be contacted to perform the work. Mr. Mathiasen noted after bids are received he will calculate assessments for each specific property. Acting Mayor John R. Harlander closed the public hearing at 7:41 PM. After due discussion, a motion was made by Acting Mayor John R. Harlander who introduced the following Resolution and moved its adoption:

RESOLUTION 2020-02
ORDERING IMPROVEMENT AND DIRECTING PREPARATION OF
PLANS AND SPECIFICATIONS
2020 Capital Improvements
(Street and Utility Reconstruction Improvements)

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: 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. 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. Amdahl informed the Council he attended a training session for the 2020 Census and will keep the Council informed on the progress of the census count in 2020. Mr. Amdahl noted the census is important because it can affect City and State funding including the legislative branch.

Mr. Mergen informed the Council the 2019 Kubota mower will be delivered sometime next week and noted the equipment will be used year-round that include several attachment options.

Mr. Schneider informed the Council the Albany Area Jaycees donated \$10,000 to the Park Department to be used for a future park improvement. Acting Mayor John R. Harlander, on behalf of the Council, thanked the Jaycees for the generosity and support of the City Park system.

Mr. Schneider presented to the Council the proposed 2020 City Personnel Policy. Mr. Schneider noted the City Attorney had minimal changes and recommended approval. After due discussion, a motion was made by Adam Rushmeyer and seconded by Keith Heitzman to approve the said Policy. All voted for the motion and it carried.

Mr. Schneider recommended Sharon Timp, 401 7th Street, be appointed as an election judge for the upcoming 2020 elections. After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to appoint Mr. Timp as an election judge. All voted for the motion and it carried.

Mr. Schneider informed the Council the City spent \$23,206 in the year 2019 on fuel purchases for the public works department, police department, and fire department, nearly the same amount in 2018. Mr. Schneider noted the six-year average for fuel purchases is \$20,905.

Mr. Schneider informed the Council the City has supported the Albany Area Community Education Summer Recreation program each year in an amount of \$975+/- by providing a \$10.00 reduction in fees for City residents participating in the program and recommended the City continue the financial contribution for the 2020 program. Acting Mayor John R. Harlander, with the consensus of the Council, directed Mr. Schneider to notify the said program administrator to inform them the City will continue to provide the annual financial support.

The Council took notice of a public hearing before the Stearns County Planning Commission to be held Thursday, January 16th on a request by Albany Recycling Center, 34737 CR #10, to rezone approximately 4.26 acres from the Commercial zoning district to an Industrial zoning district. No action was taken by the Council.

Mr. Schneider informed the Council the City was given notice by Northern Natural Gas Company, the company that owns and operates 14,700-mile natural gas transmission pipeline system extending from Texas to the Upper Peninsula of Michigan, which includes Albany and areas throughout Stearns County. Mr. Schneider noted the company will increase their pipeline capacity which will include the pipeline construction near the City of Paynesville. Mr. Schneider noted he didn't think any construction will take place in the City of Albany, but more information will become available to the public at four or five public open houses held by Northern Natural Gas Company within the project areas in February.

Mr. Schneider also informed the Council Verizon will be submitting revised drawings and an application to construct a 5G network on three utility poles owned by the City along Railroad Avenue (TH #238) after they receive approval from the Minnesota Department of Transportation (MnDOT). Mr. Schneider noted the new antennas, radio units and related equipment, will be attached to replacement decorative poles on Railroad Avenue.

Mr. Schneider also informed the Council the Minnesota Clerks and Finance Officers Association (MCFOA) will hold their annual conference March 17th through March 20th, in St. Cloud, MN. Mr. Schneider noted he has been a member of the organization for many years and it's an opportunity to

network with other professionals from similar cities across the State. Acting Mayor John R. Harlander, with the consensus of the Council, directed Mr. Schneider to attend the said conference.

Acting Mayor John R. Harlander announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, February 5, 2020 and adjourned the meeting at 8:05 PM.

Tom Schneider
Clerk/Adm.