

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, July 16, 2014, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Laurie Dingmann, Tom Kasner and John Greer. Councilor John R. Harlander was absent. Also present were: Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Jeremy Mathiasen, City Engineer with Stantec, Inc., and Mike Kosik, Staff Writer, Albany Enterprise.

After due discussion, a motion was made by John Greer and seconded by Laurie Dingmann to authorize the payment of the following bills: Check Numbers 64501 to 64550 and 15299 to 15315. All voted for the motion and it carried. The complete check register is on file at the office of the City Clerk/Adm. for public inspection during regular office hours.

Mayor Daron Gersch called for any corrections or additions to the minutes of the regular Council meeting held on July 2nd and hearing none declared them approved.

Mr. Mathiasen, the City Engineer, appeared before the Council to update the Council on the final progress of completion for the 2013 Railroad Avenue (TH #238) Improvements. Mr. Mathiasen presented to the Council Supplemental Agreement No. 4 which included several additional pay items that were calculated using time and materials pricing for unforeseen obstructions encountered by the contractor during installation of the utilities. Mr. Mathiasen noted that Tim Paul, MnDOT Project Manager, reviewed the said Agreement and recommended approval. Mr. Mathiasen noted that the amount of the additional pay items is \$86,836.18 and recommended approval. After due discussion and upon the recommendation of the City Engineer and MnDOT, a motion was made by John Greer and seconded by Tom Kasner to authorize the Mayor to execute the said Agreement in behalf of the City in the amount of \$86,836.18. All voted for the motion and it carried.

Mr. Mathiasen presented to the Council pay application number eleven (11) submitted by R. L. Larson Excavating, Inc., for the 2013 Railroad Avenue (TH #238) Improvements. Mr. Mathiasen informed the Council that the pay application includes the mill and overlay on 8th Street and other minor miscellaneous pay items. After due discussion, a motion was made by John Greer and seconded by Mayor Daron Gersch to approve the said pay application for R. L. Larson Excavating, Inc., in the amount of \$280,619.08. All voted for the motion and it carried.

Mr. Mathiasen also presented to the Council the construction costs paid to date between the City and MnDOT including State funds encumbered for the 2013 Railroad Avenue (TH #238) Improvements. Mr. Mathiasen informed the Council that the spreadsheet does not include engineering and other miscellaneous expenses.

Joe Peternell, 131 8th Street, dba 8th Street Rentals, LLC, was present for the meeting.

Mr. Mathiasen appeared before the Council to inform the Council that Mr. Peternell submitted to the City a proposed revised site plan which showed changes to the proposed storm sewer system. Mr. Mathiasen noted that the original site plan included on site ponding along the east side of the property and the proposed revised plan shows the installation of a series of two larger diameter storm sewer pipes that will provide the runoff storage that was previously provided by the pond. Mr. Peternell informed the Council that proposed revision will provide more storage in excess of what was originally available with the pond and is a greater improvement for the City. After due discussion and upon the recommendation of the City Engineer, a motion was made by John Greer and seconded by Tom Kasner to approve the revised site plan for the installation of a series of two larger diameter storm sewer pipes on the east side of the property contingent upon Mr. Peternell receiving written approval from MnDOT, as the site runoff discharges to the State right-of-way, and the receipt of the revised hydrology calculations from the developer's engineer. All voted for the motion and it carried.

Mr. Mergen presented to the Council product information he received from Midwest Floating Island, LLC., St. Paul, MN, that would reduce unwanted nutrients such as, but not limited to nitrates, phosphorus, and total suspended solids, from storm water ponds and/or wastewater treatment ponds. Mr. Mergen noted that the floating island mimics a natural wetland to create a concentrated wetland effect and the island plants attract microbes that break down water-borne pollutants, but the concept is fairly new in Minnesota. Mr. Schneider noted that the City is included in the Two Rivers Lake Watershed Targeted Best Management Practices (BMP's) Implementation Plan administered by the Stearns County Soil and Water Conservation District (SWCD); whereby the floating island technology may be included in the said Plan as a cost effective BMP to achieve water quality improvements for Two Rivers Lake and/or maybe North Lake. Councilor John Greer noted that this technology may be beneficial for improvement of the water quality in North Lake.

Councilor John Greer, Police Department Liaison, informed the Council that Patrol Officer John Arneson, Jr., submitted his letter of resignation to the Council effective July 15th. Mr. Greer noted that the Police Chief recommended that the Council accept his letter of resignation. After due discussion, a motion was made by John Greer and seconded by Tom Kasner to accept the letter of resignation from Mr. Arneson. All voted for the motion and it carried.

Councilor John Greer informed the Council that Stearns County Board of Commissioners recently adopted an ordinance governing the use of golf carts along certain Stearns County roads within municipalities. Mr. Greer noted that the Council must formally request the specific roads to be covered under the ordinance and that a county permit will be required to operate along county roads. Mr. Greer noted that until the Council takes official action, it will be illegal to operate golf carts on county roads. Mr. Schneider informed Mr. Greer that the Police Chief is aware of the new county ordinance and further discussions on the matter can be held at the next Council meeting.

Mayor Daron Gersch, Albany Golf Club Liaison, presented to the Council the said Club's checkbook register for review and consideration. After due discussion, a motion was made by Mayor Daron Gersch and seconded by Laurie Dingmann to authorize the payment of the following bills: Check Numbers 36229 to 36492. Voting for the motion were Mayor Daron Gersch, Councilors Laurie Dingmann, and John Greer and none voted against. Councilor Tom Kasner abstained and the motion carried.

The Council took notice of an application for a Large Gathering Permit and a 3.2% Malt Liquor (Beer) license from the Church of Seven Dolours for their annual church bazaar to be held on Sunday, August 3rd. After due discussion, a motion was made by Tom Kasner and seconded by John Greer to approve both requests. All voted for the motion and it carried.

Mr. Schneider informed the Council that a draft has been prepared by the City Engineering firm for Part Two (2) Wellhead Protection Plan and approval requires a public hearing. Mr. Schneider noted that the said Plan must be submitted to the Minnesota Department of Health (MDH) on or before August 15, 2014. Mr. Schneider noted that data pertaining to land use, the physical environment, public utilities, and water quantity/quality is incorporated into the plan. After due discussion, a motion was made by John Greer and seconded by Mayor Daron Gersch to set a public hearing at 6:30 o'clock in the evening or as soon as thereafter, on Wednesday, August 6th at City Hall, 400 Railroad Avenue, to review the draft Part Two (2) Wellhead Protection Plan. All voted for the motion and it carried.

Mr. Schneider also informed the Council that Mr. Mergen, the Public Works Supervisor, informed him that several property owners have not paid the City for lawn mowing services for properties that violated Ordinance 77; whereby a public hearing is required to consider an assessment in 2015 to collect the unpaid debt from those property owners. After due discussion, a motion was made by John Greer and seconded by Laurie Dingmann to set a public hearing at 6:30 o'clock in the evening or as soon as thereafter, on Wednesday, August 6th at City Hall, 400 Railroad Avenue, to consider and possibly adopt the proposed assessment for unpaid City charges incurred under City Ordinance 77. All voted for the motion and it carried.

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, August 6, 2014 and adjourned the meeting at 7:30 PM.

Tom Schneider
Clerk/Adm.