

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, July 1, 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. Councilor John R. Harlander was absent.

Tom Schneider, Clerk/Adm., Kate Asfeld, Editor Star Post, Matt Gannon, Sergeant Albany Police Department, Gary Winkels, Fire Chief, and Jeremy Mathiasen, the City Engineer with the firm of Stantec, Inc., St. Cloud, MN, were present for the meeting.

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 Adam Rushmeyer to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 70124 to 70147, and 17923 to 17939. 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 June 17th and hearing none declared the said minutes approved.

Open forum/public comments:

Matt Gannon, Patrol Sergeant, appeared before the Council to introduce to the Council part-time Patrol Officer Gabe Welchert, along with his parents Paul and Annette Welchert, and Dave Welchert, brother. Mr. Gannon informed the Council Mr. Welchert submitted the appropriate employment information and will begin his field training exercises next week. Mr. Gannon recommended Mr. Welchert be approved as a part-time Patrol Officer in the Albany Police Department. After due discussion, a motion was made by Al Amdahl and seconded by Keith Heitzman as per the recommendation from Ozzie Carbajal, Police Chief, to approve Gabe Welchert as a part-time Patrol Officer in the Albany Police Department. All voted for the motion and it carried. Mr. Gannon administered the Law Enforcement Oath of Office to Mr. Welchert and welcomed him as a member of the Department.

Steve Blenker, John Blenker, and Deb Blenker, Albany, MN, were present for the meeting.

Mayor Tom Kasner instructed Steve Blenker to appear before the Council to receive a plaque from the City for his distinguished service as a fireman (30 years) including three (3) years as Fire Chief, Emergency Management Director (13 years), and Park Board member (4.5 years). Mayor Tom Kasner thanked Mr. Blenker for his unselfish dedication and commitment to the business and residential community. Mr. Blenker noted he enjoyed working with the City and other public service agencies over the years and thanked the Council for the plaque.

Lindsey Clancy, Kelly Kasner, Chamber of Commerce Board members, and Maria Hughes, Chamber of Commerce Executive Director, were present for the meeting.

Ms. Clancy appeared before the Council to discuss modified activities for Heritage Day proposed to be held on Saturday, August 1st in the City Parking Lot at 400 Railroad Avenue. Ms. Kasner presented the following modified list of activities with COVID-19 strategic guidelines considered for each as per the Center for Disease Control and Prevention (CDC): parade, 5K family fun walk/run, fireworks, medallion hunt, city-wide garage sales, business sidewalk sales, etc. Mayor Tom Kasner noted many area community celebrations and parades have been cancelled due to COVID-19, but a few cities will display fireworks. Mr. Heitzman noted he could not support the idea of a parade or alternate parade routes knowing many people would not follow social distance guidelines. Mr. Amdahl questioned how the Chamber would limit the number of members from the public from coming to Albany to watch the parade. Mayor Tom Kasner noted the Council's responsibility is to keep everyone from the public safe and

controlling the number of members from the public from attending a parade would be nearly impossible. Mayor Tom Kasner, with the consensus of the Council, informed the Chamber members the Council does not object to the following modified activities: fireworks, city-wide garage sales, medallion hunt, business sidewalk sales, personal business events on private property, family 5K fun walk/run, and residential yard decorating contest. After due discussion, a motion was made by Keith Heitzman and seconded by Al Amdahl not to issue a Large Gathering Permit to allow the parade or any other activities in the City Parking Lot adjacent to City Hall, 400 Railroad Avenue due to the Governor's Emergency Executive Order limiting the number of people permitted for outdoor activities. All voted for the motion and it carried.

After due discussion, a motion was made by Keith Heitzman and seconded by Adam Rushmeyer to approve the display of fireworks on the Albany Golf course on Saturday, August 1st. All voted for the motion and it carried. Mr. Schneider noted an application and insurance certificates to display the fireworks is required and will provide an application to the Chamber of Commerce.

The Council took notice of a request by the Albany Lions Club for a Temporary On-Sale Liquor license for Saturday, August 1st (Heritage Day), at 400 Railroad Avenue. After due discussion, a motion was made by Adam Rushmeyer and seconded by Keith Heitzman not to approve the said License due to the Governor's Emergency Executive Order limiting the number of people permitted for outdoor activities. All voted for the motion and it carried.

Sheri Thill and Chad Schmidt, owners of Rookies Sports Bar, 471 Railroad Avenue, appeared before the Council to request permission to close a portion of 5th Street between Railroad Avenue and the rear alley adjacent to their business to allow the annual Bean Bag Tournament to be held on Saturday, August 1st. Ms. Thill informed the Council approximately 23+/- teams will participate in the tournament consisting of two-players on each team. Mr. Rushmeyer noted he is reluctant to consider approving the request having not seen a detailed plan depicting how COVID-19 precautions will be taken to maintain social distancing to keep participants safe during the tournament. Ms. Thill noted she will prepare a plan and submit it to the Council on or before the next meeting. After due discussion, a motion was made by Mayor Tom Kasner and seconded by Al Amdahl to approve the aforesaid request contingent upon Ms. Thill submitting a COVID-19 preparedness plan to the City. All voted for the motion and it carried.

Molly Thompson, CPA with the firm of Schlenner, Wenner and Company, St. Cloud, MN, the City's Auditor, appeared before the Council to present the final 2019 Comprehensive Financial Audit for all City department operations and enterprise funds that include the Albany Golf Club, Inc. Ms. Thompson presented to the Council an abbreviated audit report. Ms. Thompson thanked Mr. Schneider and Ms. Diane Jesh for providing the appropriate financial information to conduct the said audit. After due discussion, a motion was made by Al Amdahl and seconded by Adam Rushmeyer to approve the said Report and authorize recommended transfers. All voted for the motion and it carried. The complete audit is on file at the office of the City Clerk/Adm. for public inspection during normal office hours.

Mr. Schneider informed the Council the federal government established the Coronavirus Relief, and Economic Security Act known as the CARES Act; whereas Governor Tim Walz approved the allocation of CARES funds to local governments for the purpose of being reimbursed for actions taken by the City responding to the public health emergency (COVID-19 Pandemic). Mr. Schneider noted the City is eligible for up to \$204,000+/-, but doubts there will be enough eligible expenses incurred by the City to use the entire funding allocation. Ms. Thompson informed the Council many municipal clients will be submitting applications for reimbursement and will provide additional relevant information to the City. Ms. Thompson noted any remaining funds are to be returned to the State. Mayor Tom Kasner directed Mr. Schneider to complete the Minnesota Department of Revenue Coronavirus Relief Fund (CRF) Certification form.

Mr. Mathiasen presented to the Council Payment Voucher No. 3 for the 2020 Capital Improvement Project. Mr. Mathiasen noted the payment voucher generally includes water main, sewer main, services installation, and roadway construction. Mr. Mathiasen noted the contractor will begin the Albany Avenue road improvements within the next week or so. After due discussion and upon recommendation from the City Engineer, a motion was made by Adam Rushmeyer and seconded by Keith

Heitzman to approve Payment Voucher No. 3 to Breitbach Construction Company, Elrosa, MN, in the amount of \$354,415.55. All voted for the motion and it carried.

The Council took notice of a letter received by Jean Pundsack, 211 Railroad Avenue, requesting the police department enforce the noise ordinance on Railroad Avenue for those vehicles and motorcycles violating the law. ~~Mr. Schneider noted Ms. Pundsack would like the signs alerting the public of the noise ordinance be taken down if the police department doesn't want to enforce the ordinance.~~ Mr. Amdahl noted traffic on Railroad Avenue and population of the City has increased over the years. Mr. Schneider noted the police department also received a similar letter from Ms. Pundsack. Mayor Tom Kasner, with the consensus of the Council, directed Mr. Schneider to discuss the request with the police department.

The Council took notice of an off-site LG230 MN Lawful Gambling Exempt Permit application and request to distribute 3.2% Malt (Beer) Liquor on July 31st at the annual Car Show at the Albany Chrysler Center, 34650 225th Avenue, submitted by the Albany American Legion Post 482. Mr. Schneider informed the Council no Large Gathering Permit application has been received by the property owner. After due discussion, a motion was made by Keith Heitzman and seconded by Al Amdahl to deny the request by the Albany American Legion Post 482 due to the Governor's Emergency Executive Order limiting the number of people permitted for outdoor activities. All voted for the motion and it carried. Mayor Tom Kasner, with the consensus of the Council, directed Mr. Schneider to forward a letter to Bryan D. Schiffler, the property owner, instructing him the Council would not support an application for a Large Gathering Permit and encouraged him not to violate Governor Tim Walz Emergency Executive Orders related to the maximum number of people allowed to attend an outdoor event.

Mr. Schneider informed the Council there will be a State Primary Election on August 11th, and a General Election on November 3rd. Mr. Schneider recommended Rita Stenlund be hired as the Head Election Judge and the following regular Election Judges: Carol Tembreull, Tom Schneider, Lucy Thomas, Debbie Sabrowsky, Anne Smith-Bleichner, Steven Mader, Sharon Timp, Frank Haynes, Mary Kay Grabmeier, and Pam Rypkema. After due discussion, a motion was made by Al Amdahl and seconded by Adam Rushmeyer to appoint the aforementioned individuals as Elections Judges for the City of Albany. All voted for the motion and it carried.

Mr. Schneider presented to the Council Resolution 2020-21, a resolution rescinding the local emergency which was declared by the Council on March 18th. Mr. Schneider noted COVID-19 is ongoing and Governor Tim Walz has partially opened businesses and other activities. Mr. Schneider also noted City Hall is once again open to the public and social distancing and safety precautions related to COVID-19 are being conducted at City Hall. After due discussion, a motion was made by Mayor Tom Kasner who introduced the following Resolution and moved its adoption:

CITY OF ALBANY, MINNEOSTA
RESOLUTION NO. 2020-21
A RESOLUTION RESCINDING THE LOCAL EMERGENCY

The motion for the foregoing Resolution was seconded by Adam Rushmeyer 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, 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.

The Council took notice of proposed amendment to Ordinance 71, Animals. Mr. Schneider noted the purpose of the amendment is to generally only impound a dog or other animal wearing tags identifying the owner or if the owner is otherwise known to the Police Department. Mr. Schneider also noted the impound facility in Melrose no longer is accepting stray dogs and transferring the animal by an officer to the Tri-County Humane Society in St. Cloud, MN is no longer cost effective. After due discussion, and upon the recommendation by the Police and Administration Department, a motion was made by Al Amdahl who introduced the following amendment and moved its adoption:

**CITY OF ALBANY
AMENDMENT TO ORDINANCE 71, ANIMALS**

The motion for the foregoing amendment 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, and Keith Heitzman, and none voted against the same whereupon the said Amendment was declared duly passed and adopted. The full text of the said Amendment is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Mr. Schneider informed the Council Nick Primus is organizing a 10-team softball tournament “The Stallions Softball Classic” to be held on July 31st and August 1st in North Park. Mr. Schneider noted there will be no alcohol sales. Mr. Rushmeyer questioned if any COVID-19 precautions will be taken. Mr. Schneider noted several area amateur baseball teams and youth baseball programs are now permitted in the State as long as COVID-19 precautions are taken regarding equipment sanitation and social distancing, etc. Mayor Tom Kasner, with the consensus of the Council, directed Mr. Schneider to discuss COVID-19 precautions with Mr. Primus and had no objection to the proposed softball tournament.

Mr. Schneider informed the Council the Stearns County Board of Commissioners will conduct a public hearing at 9:00 A.M. on Tuesday, July 28th, to consider enactment of an ordinance to adopt the Stearns County Comprehensive Plan which provides a framework and articulates the vision for how Stearns County and its residents respond to and manage change in Stearns County.

Mr. Schneider also informed the Council the Stearns County Assessor will not be conducting face to face property inspections this summer due to continued concerns over COVID-19 and the health and safety of the public and county employees. Mr. Schneider noted properties to be inspected will receive a postcard asking property owners in the review area to fill out an online property verification form. Mr. Schneider noted failure to respond within 30-days of receipt of the said form will result in physical property viewings.

Mayor Tom Kasner informed the Council the Governor’s Emergency Executive Order 20-75 extended the Peacetime Emergency through July 13th due to COVID-19 Pandemic. Mayor Tom Kasner noted several businesses are beginning to reopen and Minnesotans returning to more indoor and outdoor activities.

Mayor Tom Kasner congratulated Councilor Al Amdahl, Albany Area School Head Baseball Coach, for receiving the National High School Baseball Coaching award for Region 5.

Mayor Tom Kasner announced the next regular Council meeting for 6:30 o’clock in the evening on Wednesday, July 15, 2020 and adjourned the meeting at 8:35 PM.

Tom Schneider
Clerk/Adm.