

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 18, 2018, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Jack Evens, John R. Harlander, Al Amdahl, and Keith Heitzman. None were absent.

Also present were: Tom Schneider, Clerk/Adm., Jeremy Mathiasen, City Engineer, with Stantec, Inc., Joe Mergen, Public Works Supervisor, Mike Kosik, Editor, Albany Enterprise, and Ozzie Carbajal, Albany Police Chief. Residents present were Jean Pundsack, Steve and Doris Lieser.

The Council recited the Pledge of Allegiance.

After due discussion, a motion was made by John R. Harlander and seconded by Jack Evens to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 68349 to 68394 and 17019 to 17032. 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 July 5th and hearing none declared them approved.

Mayor Tom Kasner presented former Mayor Daron Gersch with a plaque in appreciation for his unselfish commitment and dedication to the community. Mayor Tom Kasner announced that Mr. Gersch served as Councilor from January 1, 2009 to December 31, 2012 and Mayor from January 1, 2013 to June 30, 2018. Members of the Council thanked Mr. Gersch for his many years of public service.

Open forum/public comment: Jean Pundsack, 211 Railroad Avenue, appeared before the Council to question if her name was omitted from the July 5th Council meeting minutes. Mr. Schneider informed the Council that Ms. Pundsack's concerns were duly noted in July 5th minutes. Ms. Pundsack also questioned the parking ordinance. Mayor Tom Kasner informed Ms. Pundsack that she has already raised the parking ordinance issue several times and that if she does not have a new issue unrelated to parking, then she is not allowed to speak.

Marcia Hallermann, owner of Marcia's All-Aboard Bar and Grill, 411 Railroad Avenue, appeared before the Council to inform the Council that the Stearns County Treasurer's office has agreed to a payment plan for her to pay delinquent property taxes. Ms. Hallermann informed the Council that she has agreed to the payment plan with Stearns County and requested the Council consider approving her On-sale Liquor, Cigarette, and 2AM license. Mr. Schneider noted that he spoke to a staff person at the County who confirmed that a payment plan was approved and in the event a payment is missed, the agreement will be terminated. Mr. Schneider informed the Council that the Council can accept the terms of the payment plan with Stearns County or require full payment of delinquent property taxes. After due discussion, a motion was made by Keith Heitzman and seconded by Jack Evens to approve the On-sale Liquor, Cigarette, and 2AM license contingent upon Ms. Hallermann submitting to the City proof that a partial payment of the delinquent property taxes was paid and in the event the payment plan is terminated by the County, the said licenses would also terminate. 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 2017 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. Mr. Schneider noted the Tax Increment Financing report for the year 2017, fund closings, and transfers will be considered at the next Council meeting. The complete audit is on file at the office of the City Clerk/Adm. for public inspection during normal office hours.

Mr. Mathiasen informed the Council that there are three (3) driveway aprons on 5th Street that have experienced varying degrees of heaving during the winter months due to excess ground water present below the concrete pavement. Mr. Mathiasen noted that the heaving more than likely is not the cause of the contractor not following the specifications, but the case of ground water entering the base gravel (class V) material and not draining away. Mr. Mathiasen noted if ground water is the issue for the three concrete aprons, he would recommend removals and installation of eighteen (18) inches of material rather than the six (6) inches specified. Mr. Mathiasen questioned if the Council would like to hire a local contractor to replace the concrete aprons at a cost of \$8,300 or the general contractor (2016 5th Street Reconstruction Improvements) who submitted a bid of \$9,300. Mr. Mathiasen noted that if the general contractor is hired and the aprons are found to be constructed properly, then the City would end up paying \$1,000 more than the local bids. Mr. Mathiasen also noted that if during the concrete removal, it is found that the general contractor did not follow project specifications or if there is a problem identified with the drain tile in these areas, that the project contractor will be notified immediately and cost sharing may be required. After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to hire Kotzer Excavating and Breth Construction & Concrete to remove and re-pour three concrete aprons at a cost not to exceed \$8,300. All voted for the motion and it carried. Mayor Tom Kasner noted that the City will only repair the three concrete aprons once and directed Mr. Mathiasen to inform the property owners that the City will have no financial obligation in the future to repair said aprons.

Mr. Mergen informed the Council that the overhead pedestrian crosswalk device was recently removed from the intersection of 4th Street and Railroad Avenue and recommended that it be sold as surplus property. Mr. Mergen noted that new rapid flash pedestrian crosswalk signal devices will be installed at the said intersection. After due discussion, a motion was made by Mayor Tom Kasner and seconded by Keith Heitzman to direct Mr. Schneider to publish a notice in the Albany Enterprise seeking bids for the said surplus property. All voted for the motion and it carried.

Mr. Carbajal presented to the Council a proposed amendment to the School Resource Officer's (SRO) Agreement. Mr. Carbajal noted that the purpose of the amendment is to add language to include a three-percent (3%) annual increase and the agreement not to exceed a service fee of \$30,000. Mr. Harlander questioned why the City would want to cap the service fee. Mr. Carbajal noted that the City may terminate the agreement at any time. After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to authorize Mayor Tom Kasner to execute the said amendment to the SRO Agreement on behalf of the City. All voted for the motion and it carried.

Councilor Keith Heitzman, Albany Golf Club Liaison, presented to the Council year-to-date budget activities and noted there will be improvements made to several golf cart paths on the course. Mr. Heitzman also noted that the Board is researching ideas on how to hire an individual to replace Paul Wellenstein, Manager, who is retiring at the end of the season.

Mr. Schneider informed the Council that the property owner at 140 2nd Street has failed to pay a water bill that has been delinquent for some time and recommended that a public hearing be scheduled to certify the uncollected amount to the Stearns County Auditor to be collected as a special assessment in the year 2019. After due discussion, a motion was made by John R. Harlander and seconded by Mayor Tom Kasner to schedule a public hearing at 6:30 PM or as soon as thereafter on Wednesday, August 15th at City Hall to consider and possibly adopt the proposed assessment for an unpaid water usage incurred in relation to Ordinance 30. All voted for the motion and it carried.

Mayor Tom Kasner announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, August 1, 2018 and adjourned the meeting at 7:45 PM.

Tom Schneider, Clerk/Adm.