

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, June 5, 2013, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Laurie Dingmann, John R. Harlander, and John Greer. Councilor Tom Kasner was absent for the meeting.

Also present were: Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Jeremy Mathiasen, City Engineer, Stantec, Inc., Mike Kosik, Staff Writer, Albany Enterprise, Ozzie Carbajal, Albany Police Chief.

After due discussion, a motion was made by John R. Harlander and seconded by John Greer to authorize the payment of the following bills: Check Numbers 63383 to 63432 and 14823 to 14854. 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 May 15th and hearing none declared them approved.

Kurt Schneider, owner of Rookies Sports Bar, was present for the meeting.

The Council took notice of the following license renewals:

Club Liquor License: Albany American Legion and Albany Golf Club. After due discussion, a motion was made by Mayor Daron Gersch and seconded by John Greer to approve the aforementioned licenses. All voted for the motion and it carried.

Off-Sale Liquor License: Freeway Liquors, Rookies Sports Bar, Hillcrest Family Restaurant and Stubby's Tavern, Albany Bowling Center, and Paul's Par-A-Dice. After due discussion, a motion was made by John R. Harlander and seconded by John Greer to approve the aforementioned licenses. All voted for the motion and it carried.

On-Sale Liquor License: Rookies Sports Bar, Hillcrest Family Restaurant and Stubby's Tavern, Albany Bowling Center, Marcia's Bar and Grill, and Paul's Par-A-Dice. After due discussion, a motion was made by John R. Harlander and seconded by John Greer to approve the aforementioned licenses. All voted for the motion and it carried.

2AM Liquor License: Rookies Sports Bar, Marcia's Bar and Grill, and Paul's Par-A-Dice. After due discussion, a motion was made by Mayor Daron Gersch and seconded by Laurie Dingmann to approve the aforementioned applications for 2AM Liquor License. All voted for the motion and it carried.

Cigarette License: Rookies Sports Bar, Marcia's Bar and Grill, Albany Golf Club, Amby's Foods, Don's I-94, Freeway Liquor, Albany Tesoro, Holiday Store, and Paul's Par-A-Dice. After due discussion, a motion was made by John R. Harlander and seconded by Laurie Dingmann to approve the aforementioned licenses. All voted for the motion and it carried.

The Council received a request from the Church of Seven Dolours for a 3.2% Malt liquor (Beer) License for their annual Church Bazaar to be held on Sunday, August 4<sup>th</sup>. After due discussion, a motion was made by John Greer and seconded by Mayor Daron Gersch to approve the said License. All voted for the motion and it carried.

Mr. Mathiasen appeared before the Council to update the Council on the progress of the 2013 Railroad Avenue (TH #238) Improvements. Mr. Mathiasen noted all the underground utility work should be completed by the end of the week. Mr. Mathiasen also noted that the soils beneath the sidewalk locations are poor and recommended that when new sidewalks are installed, fabric and additional aggregate

be placed beneath for improved soil density. Mr. Mathiasen informed the Council that a change order will be presented to the Council at next week's meeting.

Mr. Mathiasen presented to the Council a Supplemental Agreement Number One between the Minnesota Department of Transportation MnDOT and the City of Albany for the 2013 Railroad Avenue Improvements requested by MnDOT in order to provide clarification about the construction requirements necessary to meet the American with Disabilities Act (ADA) requirements. Mr. Mathiasen informed the Council that there is no financial impact to the City by approving the said Agreement. After due discussion, a motion was made by John Greer and seconded by John R. Harlander to approve the said Agreement. All voted for the motion and it carried.

Mr. Mergen presented to the Council a list of property owners that have not paid their utility bills after receiving notices that their utility bills were past due pursuant to Ordinance 30. Mayor Daron Gersch, with the consensus of the Council, directed Mr. Mergen to make one final contact with the property owner to encourage full and final payment.

Mr. Mergen informed the Council that the Albany Area Jaycees donated \$5,000 towards an underground sprinkling system for the Albany Legion Park and City Administration building property. Mr. Mergen noted that an additional \$800 is needed to include the City Administration property. Mr. Mergen also questioned if the Council was interested in extending the underground sprinkling system on MnDOT property to include that area east of the City Administration building that lies between the Lake Wobegon Trail and Church Avenue at an estimated cost of \$3,300. Mayor Daron Gersch, with the consensus of the Council, directed Mr. Mergen to contact MnDOT to determine if there could be some cost sharing for the sprinkler system on their property and to proceed to coordinate the installation of an underground sprinkling system for the Legion Park, the City Administration property, and MnDOT property.

Mr. Schneider informed the Council that at the April 17<sup>th</sup> Council meeting, the Council approved an amendment to Ordinance 67, Building Moves, but after further review of the language in the ordinance, Mr. Schneider recommended to the Council to repeal the ordinance in its entirety and approve the re-enactment of a new ordinance regulating building moves. Mr. Schneider noted that the state building code requirements will only be applicable to buildings other than mobile homes proposed to be moved into the City to ensure a higher standard of building stock coming into the City, but allow for movement within the City if the building is suitable. Mr. Schneider also noted that the proposed ordinance was reviewed by the City Attorney and Dan Marthaler, the City's Building Official. After due discussion, a motion was John R. Harlander who introduced the following ordinance and moved its adoption:

CITY OF ALBANY  
REPEAL AND RE-ENACTMENT OF ORDINANCE 67  
REGULATION OF BULDING MOVES

The motion for the foregoing ordinance was seconded by Laurie Dingmann and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Daron Gersch, Councilors John Greer, Laurie Dingmann, and John R. Harlander and none voted against the same whereupon the ordinance was declared duly passed and adopted. The full text of the ordinance is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, June 19, 2013 and adjourned the meeting at 7:30 PM.

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Tom Schneider, Clerk/Adm.