

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, March 19, 2014, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors John R. Harlander, Laurie Dingmann, Tom Kasner and John Greer. None were absent.

Also present were: Tom Schneider, Clerk/Adm., Ozzie Carbajal, Police Chief, Joe Mergen, Public Works Supervisor, Jeremy Mathiasen, City Engineer with Stantec, Inc., and Mike Kosik, Staff Writer, Albany Enterprise. Ryan Eiden, local business owner, was present for the meeting.

After due discussion, a motion was made by John Greer and seconded by Tom Kasner to authorize the payment of the following bills: Check Numbers 64163 to 64201 and 15169 to 15197. 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 March 5th and hearing none declared them approved.

Mr. Mathiasen appeared before the Council to update the Council on the 2013 Railroad Avenue (State HWY #238) Improvements. Mr. Kasner questioned if there was any new information to be discussed regarding the concrete surface imperfections between 5th and 8th Street on Railroad Avenue. Mr. Mathiasen noted that MnDOT is aware of the problem and will continue discussions with the contractor for possible solutions. Mr. Harlander questioned if the concrete mix was contaminated being other concrete areas do not show the same problem. Mr. Mathiasen noted that the failure of the concrete surface could have been caused by the cold weather, moisture, or even if road salt had been applied. Mr. Mathiasen presented to the Council pay application number nine (9) submitted by R. L. Larson Excavating, Inc., for the Railroad Avenue Improvements. After due discussion, a motion was made by John Greer and seconded by Tom Kasner to approve the said pay application for R. L. Larson Excavating, Inc., in the amount of \$74,182.62. All voted for the motion and it carried.

Mr. Mathiasen presented to the Council a request for approval of minor extra work on Railroad Avenue. Mr. Mathiasen noted that much of the extra minor work resulted in unanticipated items that came up by the contractor as the project progressed. After due discussions, a motion was made by John Greer and seconded by Laurie Dingmann to approve work order, minor extra work #3 for R.L. Larson Excavating in the amount of \$24,093.49. All voted for the motion and it carried. Mayor Daron Gersch noted that the aforesaid amount is included in pay application number nine (9).

Councilor Tom Kasner questioned if any additional discussions have been held for the replacement of the sanitary sewer main that lies beneath the golf course. Mr. Kasner noted that the soils on the golf course are very poor consisting of mostly peat bog, very little clay, and a high water table which will make installation efforts very difficult. Mr. Kasner also noted that there are existing electrical wires, sprinkling water mains, drain tile, greens, and other objects buried below the existing sanitary sewer main. Mr. Mathiasen informed the Council that based on discussed with the Public Works Department, the sanitary sewer main is in very poor condition, but the new sanitary sewer main could be installed by directional boring a new line or limited open trench in designated areas that would not affect the golf club's utilities. Mr. Mathiasen noted that his firm has shot elevations of the sewer main and will present options to the Council at a future meeting.

Mr. Mergen informed the Council that the diffusers in the aerated wastewater pond need to be replaced at an estimated cost of \$50,000. Mr. Mergen noted that the diffusers were installed in 2003 and over the years a select few have been replaced, but continuous daily use has deteriorated the majority resulting in need of total replacement. Mr. Mergen noted that the diffusers only have a lifetime limit of approximately six to seven years. Mr. Mergen also noted that diffusers may not be purchased from a different manufacturer because they are each specific to an aeration system. Mayor Daron Gersch, with

the consensus of the Council, directed Mr. Mergen to purchase new diffusers with funds from the sewer department.

Mr. Carbajal appeared before the Council to inform the Council that a Patrol Officer from Albany and one from Avon Police Department conducted two scam seminars at the Albany City Hall to inform the attendees how not to be a victim of fraud whether mail, telephone, email, etc. Mr. Carbajal noted that only five-percent of scams are reported to law enforcement because many victims are too embarrassed and would rather forget about the incident.

The Council took notice of a Minnesota Lawful Gambling Exempt Permit Application submitted by the Knights of Columbus for their annual raffle to be conducted on April 28th. After due discussion, a motion was made by John R. Harlander and seconded by Tom Kasner to approve the said application. All voted for the motion and it carried.

The Council took notice of a Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division, application and permit for a temporary on-sale liquor license submitted by the Church of Seven Dolors (Holy Family School), for a Pasta Dinner event to be held on March 29th at the Seven Dolors Parish Center. Mr. Schneider informed the Council that a permit is required being beer and wine will be consumed on the premises. After due discussion, a motion was made by Mayor Daron Gersch and seconded by John Greer to approve the said application and permit. All voted for the motion and it carried.

Mr. Schneider informed the Council that Duetsch Bank National Trust Company, Santa Ana, California, owner of property at 820 Railroad Avenue, will be razing the substandard house and garage within the next two weeks. Mr. Schneider noted that in July 2013, the City had considered purchasing the property for \$14,145 or at least initiate discussions with Duetsch Bank, but no response was received. Mr. Schneider noted that the City also had an interest in purchasing excess MnDOT right-of-way south of property owned by Duetsch Bank and Ed and Jackie Atkinson, 810 Railroad Avenue, but due to a building encroachment issue, no acquisition occurred. Mr. Schneider noted that upon the removal of the buildings on the Duetsch Bank property, it is recommended that the City proceed to make the same offer on the Duetsch Bank property and MnDOT right-of-way for the purpose of assisting in the redevelopment of the property. Mayor Daron Gersch, with the consensus of the Council, directed Mr. Schneider to initiate discussions with Duetsch Bank to acquire their property at or near the July 2013 purchase price and contact MnDOT to proceed to purchase their excess right-of-way.

Mayor Daron Gersch informed the Council that his vehicle was nearly struck by another at the intersection of 1st Street and Railroad Avenue. Mr. Gersch questioned if any efforts by the City would convince MnDOT to erect a "STOP" sign(s) at this intersection. Mr. Gersch noted that vehicles traveling south on 1st Street turn east on Railroad Avenue (Co. Rd. #54) without hesitation narrowly striking vehicles traveling east on Railroad Avenue. Mr. Schneider informed the Council that meetings were held with MnDOT, the City Engineer, and Council, regarding the design of 1st Street and Railroad Avenue; whereupon the consensus of all parties involved did not recommend a "STOP" sign(s) for the said intersection. Mayor Daron Gersch directed Mr. Schneider to contact MnDOT to determine if their position not to erect "STOP" sign(s) may have changed.

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, April 2, 2014 and adjourned the meeting at 7:30 PM.

Tom Schneider, Clerk/Adm.