

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, May 21, 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., Jeremy Mathiasen, City Engineer with Stantec, Inc., and Mike Kosik, Staff Writer, Albany Enterprise. Members from the public present were: Ashley Christen, Matt VanBeck, Baylen Becker, Judy Becker, Stan Tschida, Cynthia Erickson, and Faye Heille.

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 64362 to 64387 and 15238 to 15251. Voting for the motion were Mayor Daron Gersch, Councilors Tom Kasner, John Greer, and Laurie Dingmann, and none voted against. Councilor John R. Harlander abstained and the motion 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 7th and hearing none declared them approved.

Randy Lockridge, President, Albany Area Jaycees, and Kurt Rothstein, Albany Area Jaycees member, appeared before the Council on behalf of the Albany Area Jaycees, to request approval of a Large Gathering Permit and Minnesota Charitable Gambling permit application for their annual street dance and raffle to be held on 5th Street adjacent to Rookies Sports Bar, 481 Railroad Avenue, on Saturday, June 7th. Mr. Lockridge noted that the activities will consist of food and an outdoor band to be set up on 5th Street adjacent to Rookies Sports Bar. Mr. Lockridge requested that the Council approve Rookies Sports Bar to sell liquor outside and consume with a fenced boundary on 5th Street. Mayor Daron Gersch, with the consensus of the Council had no objection to the request by the Albany Area Jaycees to temporary close 5th Street north of Railroad Avenue approximately 150 feet and to allow Rookies Sports Bar to serve liquor outside to be consumed within a fenced boundary. Mr. Rothstein informed the Council that a resolution is required by the State to conduct an off-site raffle for the event and to sell pull tabs at Heritage Day on August 2nd. After due discussion, a motion was made by John R. Harlander who introduced the following resolution and moved its adoption:

RESOLUTION 2014-09
APPROVING MINNESOTA
OFF-SITE LAWFUL GAMBLING
(June 7, 2014-Street Dance)

The motion for the foregoing Resolution was seconded by Tom Kasner and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Daron Gersch, Councilors Laurie Dingmann, John R. Harlander, John Greer, and Tom Kasner and none voted against whereupon the said Resolution 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.

After due discussion, a motion was made by Tom Kasner who introduced the following resolution and moved its adoption:

RESOLUTION 2014-10
APPROVING MINNESOTA
OFF-SITE LAWFUL GAMBLING
(August 2, 2014-Heritage Day)

The motion for the foregoing Resolution 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 Laurie Dingmann, John R. Harlander, John Greer, and Tom Kasner and none

voted against whereupon the said Resolution 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.

Tim Paul, the project supervisor with MnDOT, appeared before the Council to provide information to the Council regarding the concrete surface that has shown scaling and flaking in Phase II of the 2013 Railroad Avenue (TH #238) Improvements. Mr. Paul noted that not all the test results have been completed, but other MnDOT projects he has supervised have seen similar surface issues. Mr. Paul noted that the curb/gutter and sidewalks that have shown severe deterioration will be replaced and that it is not likely that pouring concrete in colder temperatures or any chemicals applied during the winter season for snow and ice removal had a negative effect on the integrity of the concrete. Councilor John R. Harlander questioned if the durability of the concrete has been compromised and will the surface experience greater maintenance in the near future. Mr. Paul informed the Council that durability and longevity of the street is very important and that if the concrete is found to meet specifications, then the surface can remain as is or the contractor can be ordered to grind (3/16”) off the top surface to provide a uniform appearance. Mr. Paul noted that the lab results will determine if the top layer of concrete is weak or the overall concrete strength meets specifications; whereby MnDOT concrete specialists in St. Paul will provide answers to those questions within the next few weeks.

Mr. Mathiasen appeared before the Council to inform the Council that the estimated cost to replace the water main on Church Avenue between 5th and 7th Street is approximately \$90,000 to \$100,000. Mr. Mathiasen noted that if the amount of the contract is estimated to exceed \$100,000, sealed bids shall be solicited by public notice and after this process, the project could begin in late August or the first week in September. Mr. Mathiasen noted that the City can either obtain quotes or proceed to reconstruct the street and utilities as per the City’s Assessment Policy. Councilor Tom Kasner questioned if the Council should treat the replacement of the water main on Church Avenue as a water main break; whereby the City pays to repair the water main break. Council John R. Harlander noted that the replacement of the water main cannot be considered a repair and should be treated similar to a public improvement project. Mr. Harlander recommended that a new water main be installed and the street constructed to City standards that would include curb/gutter. Ms. Christen appeared before the Council to inform the Council that the water main repairs should be paid for by the City and treated like other water main breaks throughout the City. Mayor Daron Gersch explained to the members of the public that when properties are assessed for street and utility improvements there will be public hearings to allow each property owner to comment on the project and to discuss each assessment. After due discussion, a motion was made by Mayor Daron Gersch who introduced the following resolution and moved its adoption:

RESOLUTION 2014-07
RESOLUTION ORDERING PREPARATION OF
PRELIMINARY ENGINEERING REPORT ON IMPROVEMENT

The motion for the foregoing Resolution was seconded by John R. Harlander and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Daron Gersch, Councilors Laurie Dingmann, John R. Harlander, John Greer, and Tom Kasner and none voted against whereupon the said Resolution 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.

After due discussion, a motion was made by John R. Harlander who introduced the following resolution and moved its adoption:

RESOLUTION 2014-08
CALLING PUBLIC HEARING ON THE
2014 CHURCH AVENUE IMPROVEMENTS
(5th Street to 8th Street)

The motion for the foregoing Resolution 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 Laurie Dingmann, John R. Harlander, John Greer, and Tom Kasner and none voted against whereupon the said Resolution 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.

Mr. Mergen presented to the Council the 2013-14 snow removal costs for Railroad Avenue and minor arterial side streets between 1st and 8th Street. Mr. Mergen noted that the cost for snow removal in a designated area on Railroad Avenue was nearly \$26,000 and Minnesota Department of Transportation (MnDOT) reimbursed the City \$10,258 for snow removal being Railroad Avenue is designated as State Highway #238. Mayor Daron Gersch commended the Albany Public Works Department and the crew from Custom Waste Irrigation, the local contractor, for removing the snow on mainstreet in a timely manner to allow businesses to open the morning after a snowfall event.

Mr. Schneider presented to the Council a proposed public hearing notice to certify \$4,507 as a special assessment to the Stearns County Auditor the costs incurred by the City for the demolition and removal of a hazardous house and garage at 820 Railroad Avenue. Mr. Schneider informed the Council that the property was sold to a local individual who had informed him that the property will be sold for commercial purposes in the future. After due discussion, a motion was made by John R. Harlander and seconded by Tom Kasner to set a public hearing at 6:30 o'clock or as soon as thereafter on Wednesday, June 18th at City Hall. All voted for the motion and it carried.

Mr. Schneider presented to the Council for review an invoice the City received from the Albany American Legion Club Auxiliary for the replacement of two concrete flower pots in the Veterans Park. Mr. Schneider noted that it's unclear how the aged concrete flower pots were damaged, but two new flower pots were purchased for nearly \$400 and recommend that the City reimburse the said Club in the amount of \$200. After due discussion, a motion was made by John R. Harlander and seconded by Mayor Daron Gersch to authorize the payment of \$200 to the Albany American Legion Club Auxiliary for the flower pots. 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, June 4, 2014 and adjourned the meeting at 8:00 PM.

Tom Schneider
Clerk/Adm.