

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, October 19, 2022, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Keith Heitzman, John R. Harlander, Adam Rushmeyer, and Al Amdahl. None were absent for the meeting.

Other's present were: Tom Schneider, Clerk/Adm., Jeremy Mathiasen, City Engineer, Sam Burns, Project Manager, with Stantec, Inc., St. Cloud, MN, Police Chief Ozzie Carbajal, Joseph Mergen, Public Works Supervisor, and Tim Hennagir, Staff Writer, the Star Post. The following high school students were present for the meeting: Makaela Zierden, and Gracie Bogard. The following property owners were present for the meeting: Deb Solarz, Diane Wolf, Joe Wedel, Luke Strodtman, Michelle Radmacher, Joe Lucas, Mark Formarek, Craig Baggenstoss, Heather Czjakowski, and Joseph Peternell.

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 Adam Rushmeyer and seconded by Keith Heitzman to approve/authorize payroll (33408-3420), electronic payments (900048-900053), transfers, and the payment of the following bills: Check Numbers 72201 to 72232. 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 October 5th and hearing none declared them approved.

Open forum/public comments: none

Chad Martini, Stearns County Land Services Manager, and Steve Notch, Stearns County Commissioner, were present for the meeting.

Mr. Martini appeared before the council to update the council of the upcoming activity related to Stearns County Ditch 28 (CD28) established in 1906 which lies between Albany and Holdingford. Mr. Martini informed the council letters were mailed to property owners within the watershed district which contributes stormwater to CD 28. Mr. Martini noted as defined by Mn State law, the Stearns County Commissioners will act as the Drainage Authority and ordered the Redetermination of Benefits and Damages; whereas Drainage Viewers appointed by the county will conduct an in-depth review of properties within the watershed district and submit a report in their opinion of properties benefitted or damaged by CD 28 to be completed in 18-20 months. Mayor Tom Kasner noted the city has been very proactive in retaining stormwater runoff from development in the city that include several storm water retention ponds, but has seen a significant increase in stormwater flowing northerly in the ditch or South Two Rivers River south of Interstate 94 easterly through the golf course. Mr. Martini is aware of the history of stormwater flooding on the golf course and if retention ponds are considered south of Interstate 94, several property owners would need to enter into agreements removing land from production which can be expensive. Mayor Tom Kasner thanked Mr. Martini for attending the meeting and providing an update.

Pursuant to due notice, at 7:00 PM, Mayor Tom Kasner called the public hearing into session to consider certain improvements consisting of street, storm sewer, sanitary sewer, water main, water services and sewer services improvements, to wit; Forest Avenue (from 1st Street to 6th Street), 2nd Street (from Midland Avenue to Lake Avenue), 3rd Street, 4th Street, and 5th Street (each between Midland Avenue and Forest Avenue), and adjacent alleys, as described in and in accordance with the preliminary feasibility report prepared by Stantec Consulting Services, Inc. A notice of the public hearing was published in the Star Post on October 5th and October 12th. No written comments were received. Mr. Mathiasen informed the public of the overall scope of the project, methodology to calculate individual assessments, mailbox clusters, garbage services, and noted the estimated project cost of the improvements is nearly \$2.8 million dollars. Mr. Mathiasen also questioned if the council would like to see a new sidewalk on the north side of

Forest Avenue and if not, the sidewalk can easily be removed from the design. The following property owners appeared before the council:

Heather Czajkowski, 220 4th Street, appeared before the council to question if trees near the edge of the sidewalk would be removed. Mr. Mathiasen noted every tree between the curb and sidewalk will be removed including those within a few feet of the outer edge of a sidewalk depending on type and age of tree. Mr. Mathiasen also noted trees shall not be planted no less than five (5) feet behind sidewalks and if no sidewalk, trees shall not be planted within the right-of-way or easements.

Craig Baggenstoss, 241 5th Street, appeared before the council to question the following: 1) will new sidewalks be installed behind the curb or in a grass boulevard, 2) can the alley adjacent to his property be straightened, 3) how is handicap access to his residence maintained during construction, and 4) will the drainage issues at 5th Street and Forest Avenue intersection be resolved. Mr. Mathiasen noted access to properties will be maintained throughout construction, the alley will be straightened, sidewalk location will vary on certain streets, and the drainage issue at the aforesaid intersection will be corrected.

Deb Solarz, 221 1st Street, questioned if the alley pavement will support the garbage truck. Mr. Mathiasen noted the alley will have 3 ½ inches of bituminous (pavement) and class 5 subgrade which will be adequate and the alley will be constructed near its present width.

Diane Wolf, 230 3rd Street, informed the council there are vehicles parked in front of garages that block sidewalks and questioned if it is permitted because it is dangerous for pedestrians to walk around these vehicles on the street. Mr. Schneider noted Ordinance 41 prohibits anyone from blocking a sidewalk with a vehicle or any other obstruction. Police Chief Ozzie Carbajal noted he and his officers have enforced the ordinance upon receiving a phone call from the public and will instruct his officers to pay closer attention to any vehicles blocking a sidewalk.

Michelle Rademacher, 251 3rd Street, appeared before the council to question if property owners can keep the wood when trees are cut down in the right of way and if her property would have its own individual water service because currently her water service is shared with another property. Mr. Mathiasen noted arrangements can be made with the contractor removing trees and each property will be served with individual water and sewer services. Ms. Rademacher questioned if her driveway apron could be widened to allow adequate access for off street parking. Mr. Mathiasen noted her driveway apron may be increased and the final width can be determined during construction.

Mark Formanek, 241 Forest Avenue, informed the council the proposed sidewalk on the north side of Forest Avenue is not needed being a shared use path (sidewalk) is proposed on the south side of Forest Avenue, the main pedestrian corridor to the school. Mr. Mathiasen noted there are several blocks where there are no sidewalks on the north side of Forest Avenue which overtime were removed for some reason or another and never reconstructed. Mr. Schneider noted there would be cost savings if the sidewalk on the north side of Forest Avenue were removed from the project and would support the removal if considered. Mayor Tom Kasner with the consensus of the council, informed Mr. Mathiasen there is no need for a sidewalk on the north side of Forest Avenue and it may be removed from the design. Mr. Mathiasen informed the public to contact him with concerns or additional information about the project. Mayor Tom Kasner thanked the property owners for attending the meeting and closed the public hearing at 7:40 PM. After due discussion, a motion was made by John R. Harlander who introduced the following resolution and moved its adoption:

RESOLUTOIN NO. 2022-35
ORDERING IMPROVEMENT AND DIRECTING PREPARATION OF
PLANS AND SPECIFICATIONS
2023 Capital Improvements
(Street and Utility Reconstruction Improvements)

The motion for the foregoing resolution was seconded by Al Amdahl 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, Keith Heitzman, and Al Amdahl, 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.

Mr. Mathiasen informed the council there is a few remaining punch list items to complete this fall for the 2022 Midland Avenue Reconstruction Improvements which include forming concrete steps to properties, one block of the alley wear course between 5th Street and 6th Street, final grading and restoration.

Mr. Mathiasen also noted the contractor is working through setup procedures for the new control panel and generator with the Public Works Department at the Golf View Drive lift station: whereby the new pumps are scheduled to be installed next week.

Mr. Mathiasen presented to the council a revised map showing nearly 1,400 lineal feet of new sidewalk (5' width) proposed on the north side of Shamrock Lane beginning at the Lake Wobegon Trail connection on 13th Street and ending at the eastern property line at 1041 Shamrock Lane. Mr. Mathiasen noted the estimated cost is \$48,000. Mr. Amdahl informed the council there are many pedestrians walking on Shamrock Lane and would support the construction of a new sidewalk. Mr. Peternell informed the council he would like to see the sidewalk installed this year rather than next year knowing pricing for concrete will increase more than normal. Mr. Mathiasen noted the city is required to solicit a minimum of two quotes and can easily prepare a short quantity bid sheet for the public works department to distribute. Mr. Schneider noted Mr. Peternell is the single property owner abutting the proposed sidewalk and has agreed to pay 20% of the estimated costs. After due discussion, a motion was made by Al Amdahl and seconded by Adam Rushmeyer to authorize Mr. Mathiasen to prepare sidewalk construction quantities, obtain a minimum of two quotes, and Mr. Peternell to pay 20% of the expenses for the new sidewalk on the north side of Shamrock Lane as described. All voted for the motion and it carried.

Councilor Keith Heitzman, Albany Golf Club Liaison, presented to the council the Albany Golf Club's checkbook register. After due discussion, a motion was made by Keith Heitzman and seconded by Adam Rushmeyer to approve electronic payments, transfers, and the payment of the following: checks 40314-40323. Voting for the motion were Councilors Keith Heitzman, Al Amdahl, John R. Harlander, and Adam Rushmeyer, and none voted against. Mayor Tom Kasner abstained and the motion carried. Mr. Heitzman informed the council the landscaping improvements west side of the clubhouse are nearly completed which include a proposed sidewalk and street light on the south side of Church Avenue or west of the clubhouse. Mr. Schneider informed the council the club requested swift action for approval of the sidewalk and street light due to colder temperatures fast approaching and contractor availability; whereby he approved each and the city's share of expenses is approximately \$4,500 with the remaining expenses to be paid for by the club or donations. Mr. Schneider noted the addition of a street light and sidewalk will improve pedestrian safety to and from the clubhouse. Mr. Schneider also noted the club will own the street light and pay the monthly electric fees.

Councilor Al Amdahl, Planning Commission Liaison, informed the council the Park Board held a meeting on October 12th to discuss a proposed location of a pickleball court (64' x 120') in North Park. Mr. Amdahl noted the board recommended the construction of a new pickleball court that will consist of three courts, to be located east of the skateboard/basketball court. Mr. Amdahl noted there is enough funds to begin construction of the site and tree removal. After due discussion, and upon the recommendation of the Park Board, a motion was made by Al Amdahl and seconded by John R. Harlander to approve tree removal and site preparation for the construction of three (3) pickleball courts east of the skateboard/basketball court in North Park. All voted for the motion and it carried.

Mr. Schneider presented to the council a proposed part-time job description for the position of Administration Office Assistant and if approved, a notice for the job opening will be posted in the local newspaper, the city's website, and Facebook. After due discussion, a motion was made by Mayor Tom

Kasner and seconded by Keith Heitzman to approve the job description for the position of Administration Office Assistant and authorize the job posting. All voted for the motion and it carried.

Mr. Schneider informed the council no recommendation will be presented for a potential name of the east/west alley which lies between 2nd Street and 3rd Street or directly north of Railroad Avenue. Mr. Schneider noted several names have been considered and hopes to present a final list of names at a future council meeting for approval.

Mayor Tom Kasner announced the next regular council meeting for 6:30 o'clock in the evening on Wednesday, November 2, 2022, and adjourned the meeting at 8:10 PM.

Tom Schneider
Clerk/Adm.