

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 4, 2023, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were councilors Keith Heitzman, John R. Harlander, Al Amdahl, and Adam Rushmeyer. Other's present were Joseph Mergen, Supervisor, Public Works Department, Jeremy Mathiasen, city engineer with the firm Stantec, Inc., St. Cloud, Tim Hennagir, Staff Writer, the Star Post, Tom Schneider, Interim City Administrator, and the following residents: Berleen Hollenkamp, Bruce Winter. Albany Area High School students present were Tatum Findley, Alyssa Sand, Madison Ramler, Savanna Pelzer, Callie Holthaus, Carter Schwalbe, Caleb Abraham, and Andrew Olson.

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 Al Amdahl and seconded by Adam Rushmeyer to approve/authorize payroll (3853-3869), electronic payments, transfers, and the payment of the following bills: Check Numbers 73001-73029. 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 September 20th and hearing none declared them approved.

Open forum/public comments: none.

Molly Thompson, the City Auditor with the firm of Schlenner, Wenner and Company, St. Cloud, MN, appeared before the council to present the final 2022 Comprehensive Financial Audit for all department operations and enterprise funds that include the Albany Golf Club, Inc. Ms. Thompson presented to the council an abbreviated audit report and noted nothing unusual in terms of recorded transactions or accounting policies/treatments. Ms. Thompson noted the audit was delayed due to software conversions in fund accounting and utility systems. After due discussion, a motion was made by John R. Harlander and seconded by Keith Heitzman to approve the 2022 Comprehensive Financial Audit, authorize recommended transfers and specific funds be closed effective December 31, 2022. All voted for the motion and it carried. The complete audit is on file at the office of the City Clerk/Adm. for public inspection during normal office hours.

Jason Arnzen, St. Rosa Lumber, Inc., General Contractor, appeared before the council to inform the council Dustin Tomoson, Ringdahl Architects will be managing the bidding process for the Albany Golf Club, Inc., Clubhouse remodel improvements. Mr. Arnzen noted the advertisement or notice for bid will be published in the Star Post on October 11th and bids are to be opened at 2:00 PM on October 30th at the Albany Golf Club. Mr. Arnzen noted the bid documents have been prepared and are available for contractors to review. Mr. Schneider noted that if all bids received are in order and reviewed for completeness, the low bid may be accepted at the November 1st council meeting. After due discussion and careful consideration, a motion was made by Keith Heitzman and seconded by John R. Harlander to approve the construction plans, authorize the notice to bid be published in the Star Post on October 11th, and bids are to be opened at 2:00 PM on October 30th at the Albany Golf Club. All voted for the motion and it carried.

Pursuant to due notice, Mayor Tom Kasner called the public hearing into session at 7:00 o'clock in the evening to consider and possibly adopt the proposed assessment for unpaid refuse fees incurred in relation to Section 7, Subd. 7.2 the contract between West Central Sanitation and the City of Albany. The proposed assessment is as follows which includes administration fees:

<u>Property:</u>	<u>Amount:</u>
151 4 th Street	\$180.04
231 Lake Avenue	\$155.78
1101 Forest Avenue	\$108.09
101 10 th Street	\$233.19
701 Midland Avenue	\$233.19
240 7 th Street	\$233.19
130 2 nd Street	\$233.19
151 3 rd Street	\$233.19
571 12 th Street	\$233.19
731 Aliva Avenue	\$233.19
170 1 st Street	\$233.19
510 9 th Street	\$233.19

Mayor Tom Kasner informed the council the city received a letter from Nick Vankoevinger, 571 12th Street objecting to the proposed assessment. Mayor Tom Kasner noted pursuant to Ordinance 74, Refuse, the city may enter into an exclusive contract through either negotiation or bids, to collect and dispose of all refuse generated in single-family and two-family dwellings. Mayor Tom Kasner noted West Central Sanitation is the city's contracted refuse hauler and if residents wish to dispose of their refuse by some other means they may do so but must pay the minimum monthly refuse fee. Mr. Harlander noted it is in the best interest of the city to contract with one hauler with weekly pickup rather than having several traveling on streets. Mayor Tom Kasner closed the public hearing at 7:05 PM. After due discussion, a motion was made by Adam Rushmeyer and seconded by Al Amdahl to authorize Mr. Schneider to certify to the Stearns County Auditor the aforementioned unpaid refuse fees for collection in 2024. All voted for the motion and it carried.

Mr. Mathiasen presented to the council Payment Voucher No. 5 for the 2023 Capital Improvement Project. Mr. Mathiasen noted the payment voucher includes roadway and alley paving and site restoration. After due discussion and upon recommendation from the city engineer, a motion was made by Al Amdahl and seconded by John R. Harlander to approve Payment Voucher No. 5 to Breitbach Construction Company, Elrosa, MN, in the amount of \$234,443.26. All voted for the motion and it carried.

Mr. Mathiasen also presented to the council Payment Voucher No. 1 for the 2023 Shamrock Lane Sidewalk Improvement Project. Mr. Mathiasen noted the payment voucher includes the sidewalk installation utilizing the 80/20 cost split. After due discussion and upon recommendation from the city engineer, a motion was made by Al Amdahl and seconded by John R. Harlander to approve Payment Voucher No. 1 to Shamrock Lane Rentals, LLC, Albany, MN, in the amount of \$47,045.52. All voted for the motion and it carried.

Mr. Mathiasen also reminded the council that Stearns County Highway Department will conduct a public informational meeting for the proposed 2024 County Road 157 improvements from 4:30 PM to 6:30 PM to be held on October 17th at Albany City Hall.

Mr. Mathiasen informed the council the City of Albany and Lucky of Albany, LLC previously executed a Developers Agreement dated May 31, 2023, for the High-Pressure Park plat and improvements; whereby the developer requested an amendment to the said agreement to install the sanitary sewer and watermain as private utilities. Mr. Mathiasen noted the following:

- The City agrees to have the sanitary sewer and watermain be installed, owned, and maintained as private infrastructure under the condition that the Developer is responsible for all maintenance, repairs and replacement of the infrastructure when required, and that all platted lots and future subdivided lots will have individual sewer and water services. The Developer will own the sanitary sewer and watermain up to the physical connection points of the city mains.
- All properties within the plat (including subdivided lots in the future) will have individual sewer and water services, no sharing of service lines will be allowed. The revised overall utility plan, emailed to the city on October 2nd, and shown as Exhibit A, showing three individual sets of sanitary sewer and water service lines, will be followed by the Developer.
- The proposed utility easement covering the sewer and water mains within the final plat can be removed as the city will not need to access the private lines.
- All financial responsibilities of the Developer remain as stated in the Developers Agreement except for the Letter of Credit amount. Instead of requiring an amount equal to 125% of the proposed public infrastructure construction costs, the amount of the Letter of Credit shall be \$30,000 as assurance to the City in case damage is caused to the City sanitary sewer and water main during the connections.

After due discussion and upon the recommendation of the city engineer, a motion was made by John R. Harlander and seconded by Keith Heitzman to authorize Mayor Tom Kasner to execute the amendment to the Developer’s Agreement on behalf of the city. All voted for the motion and it carried.

Mr. Mergen presented to the council the annual agreement for snow removal on State HWY #238 or Railroad Avenue (main street) between the Minnesota Department of Transportation (MnDOT) and the City of Albany for the 2023-2024 winter season. Mr. Mergen noted the agreement is executed on an annual basis; whereby MnDOT will reimburse the city for snow removal expenses from curb to curb on the said state highway or Railroad Avenue. Mr. Mergen noted the hourly costs associated with the use of the bi-directional snow blower, skid steer, and blade tractor for snow removal will be reimbursed by MnDOT as per the hourly rates noted in the city’s contract for snow removal with Custom Waste Irrigation, Albany, MN. A motion was made by Al Amdahl and seconded by Adam Rushmeyer to authorize Mr. Mergen to execute on behalf of the city the said agreement. All voted for the motion and it carried.

Mayor Tom Kasner announced the next regular council meeting for 6:30 o’clock or as soon as thereafter on Wednesday, October 18th and adjourned the meeting at 7:25 PM.

Tom Schneider
Interim City Administrator