

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, September 19, 2018, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Al Amdahl, Jack Evens, John R. Harlander, and Keith Heitzman. None were absent.

Also present were: Tom Schneider, Clerk/Adm., Jeremy Mathiasen, City Engineer, with Stantec, Inc., Joe Mergen, Public Works Supervisor, Mike Kosik, Editor, Albany Enterprise, Ozzie Carbajal, Police Chief, Ben Anderson, Director, Stearns County Parks, Greg Ramler, and Jack Ramler, owners of Ramler Trucking, Albany.

The Council recited the Pledge of Allegiance.

After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 68528 to 68570 and 17100 to 17116. 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 5<sup>th</sup>. Mr. Evens noted that Jean Pundsack's name did not appear with the other names of individuals that were present for the meeting. Mr. Schneider noted that her name did appear in the minutes as being present, but in a different paragraph. Mayor Tom Kasner, noting the correction and hearing no other corrections or additions declared the aforesaid minutes approved.

Open forum/public comments: none.

Pursuant to due notice, at 6:33 PM, Mayor Tom Kasner called the public hearing into session to hear all persons present upon a petition of property owners for the vacation of South Soo Road (100'), an undeveloped street, that lies east of 14<sup>th</sup> Street and north of Lots 1 and 2, Block 2, Albany Industries Plat. Mr. Schneider informed the Council that a proper notice was published in the Albany Enterprise on September 5<sup>th</sup> and September 12<sup>th</sup> and the property owners, The Woodshop of Avon, Albany, MN, and Ramler Properties, Albany, were given a mailed notice of the public hearing. Mr. Schneider informed the Council that South Soo Road is an unimproved street; whereby a portion of the said right-of-way (34') west of 14<sup>th</sup> Street was vacated by the City in 2000 and the remaining (66') vacated in 2004. Greg Ramler appeared before the Council to inform the Council that the purpose of his request is to construct a 180' x 200' warehouse on his vacant lot and does not foresee a street ever being constructed abutting his northern property boundary because his lot already has access to 13<sup>th</sup> Street. Mr. Ramler noted that his future plans are to purchase the vacant lot owned by the Woodshop of Avon directly west of his property for semi-truck and trailer parking. Mr. Ramler noted that he would like the County to approve a private trail crossing on the southwest corner of his lot for the purpose of allowing three to five semi-trucks per day to cross back and forth across the trail between the two lots. Mr. Anderson appeared before the Council and noted that if the said street is vacated, a trail easement should be retained for the Lake Wobegon Trail. Mr. Anderson noted that he is not opposed to a private crossing on the trail, but has to consider the safety of the trail users and questioned if vehicle access can be considered on 14<sup>th</sup> Street for the vacant lot north of the Woodshop. Mr. Ramler noted and he owns specialized vehicles commonly called a Yard Dog to relocate trailers that is unlicensed which would prohibit him from driving on City streets (14<sup>th</sup> St.) and County Highways (Railroad Avenue-Co. Rd. #157). Mr. Ramler informed Mr. Anderson that he would be willing to enter into an agreement with Stearns County outlining responsibilities and other terms for the private trail crossing. Mr. Anderson informed the Council that this is a unique request for a private trail crossing when a property owner has property on each side of the trail; whereby he will discuss the matter with the County Attorney and Surveyor to see what direction the County will consider on moving forward with Mr. Ramler's request. Mr. Schneider recommended to the Council that no action be taken on the request to vacate the said Street until Stearns County and Ramler's have had a chance to discuss the proposed private trail crossing between the two lots. Mayor Tom Kasner closed the public hearing at 6:45 PM. Mayor Tom Kasner, with the consensus of the Council, informed Mr. Anderson and Mr. Ramler that no action will be

taken until the October 3<sup>rd</sup> Council meeting and encouraged each party to schedule a meeting as soon as possible or final action may be delayed.

Mr. Mathiasen appeared before the Council to update the Council on the construction progress for the 2018 1<sup>st</sup> Street Reconstruction Improvements. Mr. Mathiasen noted the street was open to the public last week and the contractor will water the grass seed and sod within the right-of-way for thirty (30) days and thereafter the property owner will be responsible.

Mr. Mathiasen presented to the Council a preliminary engineering report for the 2019 Capital Improvements (Street and Utility Reconstruction) Project. Mr. Mathiasen noted that the proposed project includes 8<sup>th</sup> Street (from Railroad Ave. to Midland Ave.), 7<sup>th</sup> Street (from Railroad Ave. to Aliva Ave.), Midland Avenue (from 6<sup>th</sup> St. to 8<sup>th</sup> St.), Forest Avenue (from 6<sup>th</sup> St. to 7<sup>th</sup> St.), and Lake Avenue (from 6<sup>th</sup> St. to 7<sup>th</sup> St.). Mr. Mathiasen noted the scope of the construction includes new sanitary sewer, water main, storm sewer, new sewer and water services to the edge of the right of way, curb, gutter, street, and sidewalk as per the City's Bicycle and Pedestrian Master Plan. Mr. Mathiasen also provided estimated construction costs, engineering costs, and the calculation of preliminary assessments for benefiting properties. Mr. Schneider informed the Council that Jason Murray, the City's Financial Consultant with the firm of David Drown Associates, provided an updated master debt payment schedule that included the aforesaid improvements and had no objections if the City were to proceed with the improvement in 2019. After due discussion, a motion was made by John R. Harlander who introduced the following Resolution and moved its adoption:

**RESOLUTION 2018-16  
RECEIVING PRELIMINARY ENGINEERING REPORT AND CALLING  
PUBLIC HEARING ON A LOCAL  
IMPROVEMENT PROJECT  
(2019 Capital Improvements)**

The motion for the foregoing Resolution was seconded by Keith Heitzman and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Tom Kasner, Councilors Jack Evens, John R. Harlander, and Keith Heitzman 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. The public hearing will be scheduled at 6:30 o'clock in the evening or as soon as thereafter on Wednesday, October 17<sup>th</sup> at City Hall, to consider the aforesaid improvement project.

Mr. Carbajal appeared before the Council to request approval to purchase a new squad in 2019 to replace the 2013 Dodge Charger. Mr. Carbajal noted that much of the equipment can be transferred to the new squad and estimated the cost to be \$40,000+/- . After due discussion, a motion was made by Mayor Tom Kasner and seconded by Al Amdahl to authorize Mr. Carbajal to purchase a new squad (Dodge Durango) in 2019 with fleet pricing and to sell the 2013 Dodge Charger as surplus property. All voted for the motion and it carried.

Councilor Keith Heitzman, Albany Golf Club Liaison, informed the Council that the Club is accepting applications for the position of Manager and will review those received in the next month or so. Mr. Heitzman noted that a few cart paths have been repaired and provided year-to-date revenues and expenses of the club.

Mr. Mergen informed the Council that the City received the final National Pollutant Discharge Elimination System (NPDES) Permit from the Minnesota Pollution Control Agency (MPCA) for the operation of the City's Class C Wastewater Treatment Facility. Mr. Mergen noted that no written comments were received by the MPCA during the 60-day public comment period and the new permit will expire August 31, 2023. Mr. Mergen also noted that additional testing will increase the cost of operation and chemical application during the two wastewater discharge periods.

The Council took notice of an application for an Optional Liquor 2AM License renewal from Rookies Sports Bar, 481 Railroad Avenue. Mr. Schneider noted that the license period is for one-year which begins October 30, 2018. After due discussion, a motion was made by Mayor Tom Kasner and seconded by Keith Heitzman to approve the said license renewal. All voted for the motion and it carried.

Mr. Schneider presented to the Council a proposed 2019 Budget which includes the Police, Fire, Street, Park, Library, Water, Sewer, Capital Equipment Plans, Administration Departments and City employee benefits. Mr. Schneider noted that the preliminary 2018 property tax levy for payable 2019 is due on or before September 30<sup>th</sup> to the Stearns County Auditor's Office. Mr. Schneider noted that the proposed levy is \$872,696, an 8.9% increase, and the overall City's tax capacity rate forty-one percent (41%) should remain the same. Mr. Schneider noted that residential property values increased anywhere from 5% to 14% and commercial properties increased 3% to 5% in 2018; whereby property tax next year has shifted a bit to the residential properties rather than commercial properties which have carried the higher burden of payment of property taxes for many years. Mr. Schneider noted that if your estimated market value of your home or business did not increase, your property taxes should remain about the same as the previous for the City share of property taxes paid. Mr. Schneider also noted that the City may reduce the levy amount to be certified to the County in December, but may not increase the amount. Mr. Schneider also noted that water and sewer rates will need to be increased in 2019 to pay for the installation of new water meters and computer software in the year 2021-22 estimated to cost \$275,000 +/- . Mr. Mergen informed the Council that the current vendor of the City's water meters will no longer provide software support in the near future and new meters will be required. Mr. Schneider also noted that there is \$600,000+/- in the water fund and \$1,400,000+/- in the sewer fund as per the City Audit. After due discussion, a motion was made by Al Amdahl and seconded by Jack Evens to direct the City Clerk/Administrator to forward to the Stearns County Auditor the proposed levy of \$872,696 and to set the initial meeting at 6:30 PM, or as soon as thereafter on Wednesday, December 5<sup>th</sup>, and the final adoption meeting of the said levy at 6:30 PM, or as soon as thereafter, on Wednesday, December 19<sup>th</sup> at 400 Railroad Avenue, the City Administration Building. All voted for the motion and it carried.

Mr. Schneider also presented to the Council a public hearing notice the City received from the Stearns County Planning Commission on a request from H & L Partnership, Avon, MN, to rezone approximately 9.6 acres from the Agricultural 40 zoning district to the Residential 1 zoning district at 35536 Co. Road 10, in Albany Township. Mr. Schneider noted that the rezoning will allow the land surrounding the house and existing accessory buildings to be conveyed on a separate parcel leaving one building entitlement on the remaining 48.7 acres. Mr. Schneider informed the Council that there are municipal water services somewhat near the property, but no sewer services near the property to be rezoned. Mr. Schneider also noted that Albany Township approved the request at a Township meeting held on July 23<sup>rd</sup>. No action was taken by the Council.

Mr. Schneider informed the Council that the City received a \$2,000 grant from the Statewide Health Improvement Partnership (SHIP) to purchase bike racks to be installed by the City at various locations as per the City's Bicycle and Pedestrian Master Plan.

Mayor Tom Kasner announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, October 3, 2018 and adjourned the meeting at 8:00 PM.

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Tom Schneider, Clerk/Adm.