NOTICE OF ALBANY
CITY COUNCIL MEETING

There will be a regular meeting of the City Council in and for the City of Albany, Stearns County, Minnesota at 6:30 o'clock in the evening on **Wednesday, April 7, 2021**, in the Council Room at 400 Railroad Avenue for the said City.

AGENDA

1. Convene meeting

2. Pledge of Allegiance

3. Audit Bills

4. Act on regular Council minutes of the meeting held on March 17th

5. Open Forum/Public comment (3 to 5 minutes max.)

6. Jason Murray, David Drown Associates, the City's Financial Consultant – present Resolution 2021-12 authoring the issuance, sale, and delivery of $1,730,000 General Obligation Permanent Improvement Revolving Fund Bonds, Services 2021B.

7. Jeremy Mathiasen, City Engineer – Project updates

8. Reports of Boards and Department Heads
    - Tom Schneider, Clerk/Adm. – present the following:
        - Resolution No. 2021-11 approval of MN Charitable Gambling LG220 application submitted by the Church of Seven Dolors for their annual bazaar.
        - Information American Rescue Plan Act federal funds Albany City allocation
        - Discuss options for collection of unpaid utility bills.
        - Recommendation to approve Job Description for full-time Laborer in the Public Works Department.

9. Mayor's announcements and letters

10. Mayor to announce next regular Council meeting date (April 21st) and adjourn

Tom Schneider
Clerk/Adm.

Note: As per the Minnesota Department of Health (MDH) public health guideline, face masked required, social distance of minimum six (6) feet per person will be followed at the meeting.

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, March 17, 2021, in the Council Room at 400 Railroad Avenue for the said City.

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

Other's present were: Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Ozzie Carbajal, Police Chief, Kate Asfeld, Staff Writer, the Star Post, and Jeremy Mathiasen, the City Engineer with the firm of Stantec, Inc., St. Cloud, MN.

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 John R. Harlander and seconded by Al Amdahl to authorize electronic payments (payroll), transfers, and the payment of the following bills: Check Numbers 70846 to 70880. 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 March 3rd and hearing none declared them approved.

Open forum/public comments: none

Janelle P. Kendall, Stearns County Attorney, appeared before the Council to update the Council on the activities for the 2020 Albany Police Department Prosecution Contract. Ms. Kendall noted the contract includes legal advice to officers seven days a week, twenty-four hours per day. Ms. Kendall noted prosecutions included, but not limited to, driving violations, assault, drugs, theft, alcohol, gross misdemeanors, etc. Ms. Kendall also noted the diversion program is designed to use the power of persuasion as an incentive of avoiding a criminal conviction to facilitate rehabilitation, changed thinking, responsive behavior, the payment of restitution to the victim(s), and in some cases, treatment. Ms. Kendal also thanked Chief Carbajal and his officers for doing an outstanding job with investigations, school resource officer (Sergeant Matt Gannon), and administration correspondence by Dannielle Zierden the Administrative Assistant. Mayor Tom Kasner thanked Ms. Kendall for attending the meeting and updating the Council. Mayor Tom Kasner also thanked Chief Carbajal for doing an outstanding job overseeing the Albany Police Department.

Sheri Thill/Chad Schmidt, owners of Rookies Sports Bar, 481 Railroad Avenue, appeared before the Council to request permission to close 5th Street between Railroad Avenue and the rear alley on Saturday, June 5th for the purpose of their annual street dance. Ms. Thill noted the band will be set up near the alley facing south/southeast towards their building and is tentatively scheduled to play from 7:00 PM to 11:00 PM, but may end at midnight if COVID restrictions are amended. Ms. Thill noted social distance and masks will be encouraged and will talk to the owners of adjacent building owned by SSTS of Albany, LLC being the second floor of the building was recently renovated for apartments. After due discussions, a motion was made by Adam Rushmeyer and seconded by Keith Heitzman to approve the request by Rookies Sports Bar to close a portion of 5th Street between Railroad Avenue and the rear alley on Saturday, June 5th for the purpose to hold their annual street dance which includes the consumption of alcohol within this boundary provided proper insurance certificate is submitted to the City. All voted for the motion and it carried.

The Council took notice of a resolution to declare the cost to be assessed, ordering preparation of proposed assessments, and calling for a public hearing for the 2021 Capital Improvements Project. Mr. Mathiasen noted a preconstruction meeting has been scheduled for March 30th. Mr. Mathiasen noted each property owner will be mailed a notice listing the total amount proposed to be assessed to their property. After due discussion, a motion was made by Keith Heitzman who introduced the following resolution and moved its adoption:

RESOLUTION 2021-10
DECLARING COST TO BE ASSESSED; ORDERING PREPARATION
OF PROPOSED ASSESSMENT; AND CALLING FOR PUBLIC
HEARING ON ASSESSMENTS
2021 Capital Improvement Project
(Public Hearing: 6:30 PM or as soon as thereafter, Wednesday, April 21st, at City Hall)

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, John R. Harlander, 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.

The Council took notice of a proposed Professional Services Agreement between Stantec Consulting Services, Inc., and the City of Albany for the proposed 2022 1st Street (TH #238) and Railroad Avenue Intersection Improvements. Mr. Mathiasen noted the proposed contract for engineering services maybe written as a lump sum or hourly. Mr. Harlander informed the Council he would be in favor of an hourly rate and not lump sum. After due discussion, a motion was made by John R. Harlander and seconded by Keith Heitzman to authorize Mayor Tom Kasner to execute the said Agreement on behalf of the City. All voted for the motion and it carried.

Mr. Mathiasen informed the Council the final design and preparation of construction documents is underway for the proposed 2022 1st Street (TH #238) and Railroad Avenue Intersection Improvements. Mr. Mathiasen noted the agreement between the Minnesota Department of Transportation (MnDOT) and the City will be forthcoming to consider approval at a future meeting.

Mr. Mathiasen questioned if the Council would like to proceed with installation of the micro-monitors (Phase II) in the sanitary sewer system. Mr. Mathiasen informed the Council you may see large rainfall events in the spring and the monitors would be helpful to clarify why the wastewater facility is seeing such large amounts of excess flow and their relationship to the rain events. Mr. Heitzman questioned what the cost would be for the installation of the monitors. Mr. Mathiasen informed the Council the cost would be no more than $6,500, the same costs for Phase I monitoring. After due discussion, a motion was made by Mayor Tom Kasner and seconded by John R. Harlander to authorize the installation of micro-monitors (Phase II) in the sanitary sewer at a cost not to exceed $6,500. 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 Al Amdahl to approve electronic payments, transfers, and the payment of the following: checks 39774-39777. Voting for the motion were Councilors John R. Harlander, Keith Heitzman, Adam Rushmeyer, and Al Amdahl, and none voted against. Mayor Tom Kasner abstained and the motion carried.

Mr. Heitzman informed the Council the TopTracer driving range improvements will open very soon. Mr. Schneider noted a small snack shack is under construction on the west side of the range and plans will be submitted to the City for review; whereas the building official has been in contact with the volunteers to discuss the construction of the snack shack amenities. Mr. Heitzman also presented to the Council the Club's 2021 Operating Budget.

Mr. Mergen presented to the Council a 2020 year-end activity report for the Street, Park, Water, and Sewer Department. Mr. Mergen informed the Council the Minnesota Pollution Control Agency acknowledged receipt of the City's Pretreatment Annual Report for calendar year 2020; whereby no additional comments or concerns were noted.

Mr. Schneider presented to the Council a proposed job description for a part-time summer seasonal worker in the Public Works Department. Mr. Schneider noted a notice of the job opening will be published in the local newspaper, posted on the City 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 said position. All voted for the motion and it carried.

Mr. Schneider also informed the Council the State loosened COVID-19 guidelines on March 15th; whereby capacity limits on businesses, restaurants, bars, gyms, social gatherings were expanded citing lower COVID case numbers and expanded vaccine availability across Minnesota.

Mayor Tom Kasner announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, April 7, 2021, and adjourned the meeting at 7:45 PM.

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Tom Schneider
Clerk/Adm.

RESOLUTION NO. 2021-______

RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF $1,730,000 GENERAL OBLIGATION PERMANENT IMPROVEMENT REVOLVING FUND BONDS, SERIES 2021B

BE IT RESOLVED, by the City Council of the City of Albany, Stearns County, Minnesota (the "Issuer"), as follows:

Section 1. Bond Purpose, Authorization, and Award.

1.01 Authority and Purpose.

A. Pursuant to authority contained in Minnesota Statutes, Chapters 429 and 475, the City Council directs the issuance and sale of $1,730,000 General Obligation Permanent Improvement Revolving Fund Bonds, Series 2021B (the "Bonds"), for the purpose of financing (i) a portion of the costs of local public improvements, including the reconstruction of Lake and Church Avenues, along with one block of 3rd, 4th, and 5th Streets, including water, sanitary sewer, storm sewer, and roadway improvements (the "Project"); (ii) a part of the interest cost of the Bonds; and (iii) a part of the issuance costs of the Bonds.

B. The Bonds are to be paid for in part by (i) special assessments levied or to be levied upon benefited property (the "Special Assessments") and (ii) ad valorem taxes herein levied (the "Taxes"). The Special Assessments and Taxes are referred to herein as the "Pledged Revenues."

C. The total cost of the Project, which shall include all costs enumerated in Minnesota Statutes, Section 475.65, is estimated to be at least equal to the amount of the Bonds. Work on the Project shall proceed with due diligence to completion. The Issuer covenants that it shall do all things and perform all acts required of it to assure that work on the Project proceeds with due diligence to completion and that any and all permits and studies required under law for the Project are obtained.

1.02 Independent Municipal Advisor. The Issuer has retained the services of David Drown Associates as its independent municipal advisor.

1.03 Award of Sale. The Issuer has received an offer from ____________________ of ______________________, ___________________ (the "Purchaser"), to purchase the Bonds at a cash price of $_____________________, plus accrued interest on the total principal amount from April 22, 2021, to the date of delivery (the "Accrued Interest") upon the terms and conditions hereafter specified in this Resolution. The City Council, after due consideration, finds such offer reasonable and proper and the offer of the Purchaser is accepted. The Mayor and the Administrator/Clerk-Treasurer are authorized and directed to execute on the part of the Issuer a contract for the sale of the Bonds in accordance with the Purchaser's proposal, and to acknowledge receipt of the check given for the security of the proposal, if any.

Section 2. Terms of the Bonds.

2.01 Date and Maturities. A. The Bonds to be issued hereunder shall be (1) issued as fully-registered bonds, (2) designated "$1,730,000 General Obligation Permanent Improvement Revolving Fund Bonds, Series 2021B", (3) dated April 22, 2021 as of the date of original issue, (4) issued in the denomination of $5,000, or any integral multiple thereof, and (5) lettered and numbered R-1 and upward.

B. The Bonds shall mature on February 1 in the years and amounts stated below and shall bear interest from the most recent Interest Payment Date (as hereinafter defined) to which interest has been paid or duly provided for, or, if no interest has been paid or provided for, from the date of original issue until paid at the rates per annum set forth below opposite such years and amounts:

Year	Amount	Interest Rate

C. The maturities of the Bonds, together with the maturities of all other outstanding general obligation bonds of the Issuer, meet the requirements of Section 475.54 of the Act.

2.02 Interest Payment Dates; Record Date.

A. The Bonds shall bear interest at the annual rates stated therefor in Section 2.01. The interest shall be payable semiannually on February 1 and August 1 in each year (each referred to herein as an "Interest Payment Date") commencing on February 1, 2022. Interest will be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

B. The Bond Registrar designated below shall make all interest payments with respect to the Bonds by check or draft mailed to the person in whose name each Bond is registered (the "Holder") and in each case at the address shown on the bond registration records maintained by the Bond Registrar at the close of business on the 15th day (whether or not on a business day) of the calendar month next preceding the Interest Payment Date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the Holder thereof as of the Regular Record Date, and shall be payable to the person who is the Holder thereof at the close of business on a date fixed for the payment of such defaulted interest (the "Special Record Date"). The Special Record Date shall be fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest and notice of the Special Record Date shall be given by the Bond Registrar to the Holders not less than ten (10) days prior thereto. The term "Holder" shall also include those lawfully entitled to take actions on behalf of the beneficial owners of the Bonds for purposes of any consent or approvals given by Holders.

C. If the date for payment of the principal of, premium, if any, or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City of New York, New York, or the city where the principal office of the Bond Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date of payment.

2.03 Redemption. The Bonds maturing on and prior to February 1, 2029 shall not be subject to redemption and prepayment before maturity, but those maturing after such date and in subsequent years shall each be subject to redemption and prepayment at the option of the Issuer on such date and on any day thereafter, in whole or in part and by lot as to the Bonds maturing in the same year, at a price equal to the principal amount thereof plus accrued interest to the redemption date.

B. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Bond Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) at least 30 days but not more than 60 days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Bond Registrar; provided however, that so long as the Bonds are registered in the name of Cede & Co. as nominee of The Depository Trust Company, Jersey City, New Jersey ("DTC"), notice of redemption shall be given in accordance with the terms of the Representation Letter hereinafter described. Failure to give notice by mail to any registered owner, or any defect therein, will not affect the validity of any proceeding for the redemption of Bonds not affected by such defect or failure. Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

C. If less than all the Bonds of a maturity are called for redemption while the Bonds are registered in the name of Cede & Co., the Issuer or the Bond Registrar designated below will notify DTC of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interest in such maturity to be redeemed. If less than all the Bonds of a maturity are called for redemption and the Bonds are not registered in the name of Cede & Co., the Bond Registrar will determine by lot or other manner deemed fair, the amount of each maturity to be redeemed. All prepayments shall be at a price equal to the principal amount thereof plus accrued interest.

D. The Bonds maturing on February 1 in the years ____, ____ and ____ shall be subject to mandatory redemption prior to maturity pursuant to the requirements of this Section 2.03D at a redemption price equal to the stated principal amount thereof plus interest accrued thereon to the redemption date, without premium. The Bond Registrar, as designated below, shall select for redemption, by lot or other manner deemed fair, on February 1 in each of the following years the following stated principal amounts:

For Bonds maturing on February 1, 20___:

Year	**Amount**

For Bonds maturing on February 1, 20___:

Year	**Amount**

For Bonds maturing on February 1, 20___:

Year	**Amount**

Section 3. Registration; Global Book Entry System.

3.01 Designation of Bond Registrar. The City Council appoints Northland Trust Services, Minneapolis, Minnesota, as registrar, authenticating agent and transfer agent for the Bonds (such bank or its successors is herein referred to as the "Bond Registrar"), and shall do so until a successor Bond Registrar is duly appointed, all pursuant to a contract which the Issuer and the Bond Registrar shall execute which is consistent herewith and which the Mayor and Administrator/Clerk-Treasurer are authorized to execute and deliver. A successor Bond Registrar shall be a bank or trust company eligible for designation as bond registrar pursuant to the Act. The terms of the appointment of the successor Bond Registrar and its duties shall be specified in a contract between the Issuer and such successor Bond Registrar that is consistent herewith and that the Mayor and Administrator/Clerk-Treasurer are authorized to execute and deliver. The Bond Registrar, which may act through an agent, shall also serve as paying agent until and unless a successor paying agent is duly appointed. The Bond Registrar shall pay principal and interest on the Bonds to the registered Holders (or record Holders) of the Bonds in the manner set forth herein. The Issuer agrees to pay the reasonable and customary charges for the services of such Bond Registrar.

3.02 Designation of Depository. DTC, a Securities and Exchange Commission designated depository, a limited purpose New York trust company, a member of the Federal

Reserve System, and a "clearing corporation" within the meaning of the New York Uniform Commercial Code, is designated as the depository (the "Depository") with respect to the Bonds.

3.03 Authentication of Bonds. No Bond shall be valid or obligatory for any purpose unless or until either (i) the Bond Registrar's authentication certificate on such Bond, substantially set forth in Section 4.01 hereof, shall have been duly executed by an authorized representative of the Bond Registrar or (ii) the Bonds have been manually executed by at least one officer of the City Council. Authentication certificates on different Bonds need not be signed by the same representative. The Bond Registrar shall authenticate each Bond by execution of the Certificate of Authentication on the Bond and shall date each Bond in the space provided as of the date on which the Bond is registered. For purposes of delivering the original Bonds, the Bond Registrar shall insert as the date of registration the date of original issue. The executed Authentication Certificate or the manual signature of at least one officer of the City Council on each Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution.

3.04 Bond Register; Transfer; Exchange.

A. The Issuer shall cause to be kept by the Bond Registrar at its principal office, a bond register in which, subject to such reasonable regulations as the Bond Registrar may prescribe, the Issuer shall provide for the registration of the Bonds and the registration of transfers of the Bonds entitled to be registered or transferred as herein provided. In the event of the resignation or removal of the Bond Registrar or its incapability of acting as such, the bond registration records shall be maintained at the office of the successor Bond Registrar as may be appointed by the City Council.

B. Upon surrender for transfer of any Bond at the principal corporate office of the Bond Registrar, the Issuer shall execute, if required by law or this Resolution, and the Bond Registrar shall authenticate, if required by law or this Resolution, date (in the space designated Date of Registration) and deliver, in the name(s) of the designated transferee or transferees, one or more new Bonds of the like aggregate principal amount having the same stated maturity and interest rate, as requested by the transferor; provided, however, that no Bond may be registered in blank or in the name of "bearer" or similar designation. Transfer of a Bond may be made on the Issuer's books by the registered owner in person or by the registered owner's attorney duly authorized in writing. Transfers shall be subject to reasonable regulations of the Issuer contained in any agreement with, or notice to, the Bond Registrar, including regulations which permit the Bond Registrar to close its transfer books between record dates and payment dates. The Issuer and the Bond Registrar shall not be required to make any transfer or exchange of any Bonds called for redemption or to make any such exchange or transfer of the Bonds during the 15 days next preceding the date of the first publication or the mailing (if there is no publication) of notice of redemption in the case of a proposed redemption of the Bonds.

C. Every Bond presented or surrendered for transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, in form satisfactory to the Bond Registrar, duly executed by the registered owner thereof, with signature guaranteed, or by the registered Holder's attorney duly authorized in writing, and shall include written instructions as to the details of the transfer of the Bond. When any Bond is presented to the Bond Registrar for transfer, the Bond Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Bond Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

D. At the option of the Holder, replacement Bonds may be exchanged for Bonds of any authorized denomination or denominations of a like aggregate principal amount and stated maturity, upon surrender of the Bonds to be exchanged at the principal office of the Bond Registrar. Whenever any Bonds are so surrendered for exchange, the Issuer shall execute (if required by law or this Resolution), and the Bond Registrar shall authenticate (if required by law or this Resolution), date (in the space designated Date of Registration) and deliver the replacement Bonds which the Holder making the exchange is entitled to receive. Bonds registered in the name of Cede & Co. may not be exchanged for Bonds of smaller denominations.

E. All Bonds surrendered upon any exchange or transfer provided for in this Resolution shall be promptly canceled by the Bond Registrar and thereafter disposed of as directed by the Issuer.

F. Each Bond delivered upon transfer of or in exchange for or in lieu of any other Bond shall carry all of the rights to interest, accrued and unpaid and to accrue, which are carried by such other Bond. All Bonds delivered in exchange for or upon transfer of Bonds shall be valid general obligations of the Issuer evidencing the same debt, shall be entitled to the same benefits under this Resolution as the Bonds surrendered for such exchange or transfer, and shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bonds.

G. The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of any Bond and any legal or unusual costs regarding transfers and lost bonds.

H. Bonds registered in the name of Cede & Co. may not after their original delivery, be transferred or exchanged except in accordance with the terms and conditions of the Representation Letter and:

(i) upon exchange of a Bond after a partial redemption, if provided in Section 2.03 of this Resolution;

(ii) to any successor of the Depository (or its nominee) or any substitute depository (a "Substitute Depository") designated pursuant to clause (iii) below; provided that any successor of the Depository or any Substitute Depository must be both a "clearing corporation" as defined in the Minnesota Uniform Commercial Code, Minnesota Statutes, Section 336.8-102, and a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended;

(iii) to a Substitute Depository designated by and acceptable to the Issuer upon (a) the determination by the Depository that the Bonds shall no longer be eligible for its depository services or (b) a determination by the Issuer that the Depository is no longer able to carry out its functions; provided that any Substitute Depository must be qualified to act as such, as provided in subclause (ii) above; or

(iv) in the event that (a) the Depository shall resign or discontinue its services for the Bonds or be declared no longer able to carry out its functions and. the Issuer is unable to locate a Substitute Depository within two months following the resignation or discontinuance or determination of noneligibility, or (b) the Issuer determines in its sole discretion that (1) the continuation of the book-entry system described herein might adversely affect the interests of the beneficial owners of the Bonds, or (2) it is in the best interests of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, then the Issuer shall notify the Holders of its determination and of the availability of replacement Bonds to Holders. The Issuer, the Bond Registrar and the Depository shall cooperate in providing Replacement Bonds to Holders requesting the same and the registration, transfer and exchange of such Bonds shall thereafter be conducted as provided in Section 3 of this Resolution.

I. In the event of the designation of a Substitute Depository as authorized by clause H., the Bond Registrar, upon presentation of a Bond, shall register their transfer to the Substitute Depository, and the Substitute Depository shall be treated as the Depository for all purposes and functions under this Resolution. The Representation Letter shall not apply to the Substitute Depository unless the Issuer and the Substitute Depository so agree, and the execution of a similar agreement is authorized.

3.05 Persons Deemed Owners; Payment.

A. The Issuer and the Bond Registrar may treat the person in whose name any Bond is registered as the owner of such Bond for the purpose of receiving payment of principal of and premium, if any, and interest (subject to the payment provisions in Section 2.02 above), on such Bond and for all other purposes whatsoever, whether or not such Bond shall be overdue, and neither the Issuer nor the Bond Registrar shall be affected by notice to the contrary.

B. For the purposes of all actions, consents and other matters affecting Holders of Bonds issued under this Resolution as from time to time supplemented, other than payments, redemptions, and purchases, the Issuer may (but shall not be obligated to) treat as the Holder of a Bond the beneficial owner of the Bond instead of the person in whose name the Bond is registered. For that purpose, the Issuer may ascertain the identity of the beneficial owner of the Bond by such means as the Bond Registrar in its sole discretion deems appropriate, including but not limited to a certificate from the Depository or other person in whose name the Bond is registered identifying such beneficial owner.

C. The principal of and interest on the Bonds shall be payable by the Bond Registrar in such funds as are legal tender for the payment of debts due the United States of America. The Issuer shall pay the reasonable and customary charges of the Bond Registrar for the disbursement of principal and interest.

3.06 Use of Global Book-Entry System.

A. There has been previously submitted to this City Council a form of Blanket Issuer Letter of Representations (the "Letter of Representations") between the Issuer and the Depository setting forth various matters relating to the Depository and its role with respect to the Bonds. The terms and conditions of the Letter of Representations are ratified.

B. All of the Bonds shall be registered in the name of Cede & Co., as nominee for DTC. Payment of interest on and principal of any Bond registered in the name of Cede & Co. shall be made by wire transfer or New York Clearing House or equivalent same day funds by 10:00 a.m. CT or as soon as possible thereafter following the Bond Registrar's receipt of funds from the Issuer on each Interest Payment Date to the account of Cede & Co. on each Interest Payment Date at the address indicated in or pursuant to the Representation Letter.

C. So long as DTC is the Depository or it or its nominee is the Holder of any Bonds, the Issuer shall comply with the provisions of the Representation Letter, as it may be amended or supplemented from time to time.

D. Additional matters with respect to, among other things, notices, consents and approvals by Holders and payments on the Bonds are set forth in the Representation Letter.

E. The provisions in the Representation Letter are incorporated herein by reference and made a part of this resolution, and if and to the extent any such provisions are inconsistent with the other provisions of this resolution, the provisions in the Representation Letter shall control.

3.07 Mutilated, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen, or lost, the Bond Registrar will deliver a new Bond of like amount, number, maturity date, and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen, or lost, upon the payment of the reasonable expenses and charges of the Bond Registrar and the Issuer in connection therewith, including the cost of printing new Bonds; and, in the case of a Bond destroyed, stolen, or lost, upon filing with the Bond Registrar and the Issuer of evidence satisfactory to it and the Issuer that the Bond was destroyed, stolen, or lost, and of the ownership thereof, and upon furnishing to the Bond Registrar of an appropriate bond or indemnity in form, substance, and amount satisfactory to it and the Issuer and as provided by law, in which both the Issuer and the Bond Registrar must be named as obligees. Bonds so surrendered to the Bond Registrar will be canceled by the Bond Registrar and evidence of such cancellation must be given to the Issuer. If the mutilated, destroyed, stolen, or lost Bond has already matured or been called for redemption in accordance with its terms, it is not necessary to issue a new Bond prior to payment.

Section 4. Form of the Bonds.

4.01 The Bonds shall be printed or typewritten in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF STEARNS

R-__ $______

CITY OF ALBANY
GENERAL OBLIGATION PERMANENT IMPROVEMENT
REVOLVING FUND BOND, SERIES 2021B

Rate	Maturity Date	Date of Original Issue	CUSIP
____%	February 1, 20__	April 22, 2021	__________

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: ____________________ DOLLARS

The City of Albany, Stearns County, Minnesota (the "Issuer"), certifies that it is indebted and for value received, promises to pay to the registered owner specified above or on the Registration Certificate attached hereto, or registered assigns, in the manner hereinafter set forth, the principal amount specified above, on the maturity date specified above, and to pay interest thereon from the date of original issue set forth above, or from the most recent Interest Payment Date (defined below) to which interest has been paid or duly provided for, until the principal amount is paid, said interest being at the rate per annum specified above. Interest is payable semiannually on February 1 and August 1 of each year (each referred to herein as an "Interest Payment Date") commencing on February 1, 2022, at the rate per annum specified above, calculated on the basis of a 360-day year of twelve 30-day months, until the principal amount is paid or has been provided for. This Bond will bear interest from the most recent Interest Payment Date to which interest has been paid or duly provided for, or, if no interest has been paid or provided for, from the date of original issue hereof set forth above.

Payment. The principal of and premium, if any, on this Bond are payable by wire transfer (or other agreed means of payment) on each payment date upon presentation and surrender hereof at the office of Northland Trust Services, Inc., Minneapolis, Minnesota, as registrar, paying agent, authenticating agent and transfer agent (the "Bond Registrar"), or at the office of such successor bond registrar as may be designated by the Issuer. Interest on this Bond will be paid on each Interest Payment Date by wire transfer (or other agreed means of payment) to the person in whose name this Bond is registered (the "Holder" or "Bondholder") on the registration books of the Issuer maintained by the Bond Registrar and at the address appearing thereon at the close of business on the 15th day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any interest not so timely paid or duly provided for shall cease to be payable to the person who is the Holder hereof as of the Regular Record Date, and shall be payable to the person who is the Holder thereof at the close of business on a date fixed for the payment of the defaulted interest, and notice of the special record date shall be given by the Bond Registrar to the Holders not less than ten (10) days prior thereto. The Bond Registrar shall make all payments with respect to this Bond without, except for payment of principal on the Bond, the presentation or surrender of this Bond, and all such payments shall discharge the obligations of the Issuer to the extent of the payments so made. The principal of, premium, if any, and interest on this Bond are payable in lawful money of the United States of America. For the prompt and full payment of such principal and interest as they become due, the full faith and credit of the Issuer are irrevocably pledged.

Date of Payment Not Business Day. If the date for payment of the principal of, premium, if any, or interest on this Bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City of New York, New York, or the city where the principal office of the Bond Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date of payment.

Qualified Tax-Exempt Obligations. The Bonds of this issue have been designated by the Issuer as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, relating to the deduction of interest expenses allocable to the Bonds by financial institutions.

Optional Redemption. The Bonds maturing on and prior to February 1, 2029 shall not be subject to redemption and prepayment before maturity, but those maturing after such date and in subsequent years shall each be subject to redemption and prepayment at the option of the Issuer on such date and on any day thereafter, in whole or in part and by lot as to the Bonds maturing in the same year, at a price equal to the principal amount thereof plus accrued interest to the redemption date.

Mandatory Redemption. The Bonds maturing February 1 in the years ____, ____ and ____ shall be subject to mandatory redemption prior to maturity pursuant to the requirements of the Resolution at a redemption price equal to the stated principal amount thereof plus interest accrued thereon to the redemption date, without premium.

Notice of and Selection of Bonds for Redemption. Not less than 30 nor more than 60 days prior to the date fixed for redemption and prepayment of any Bonds, notice of redemption shall be mailed to each registered owner of a Bond to be redeemed; provided, however, that so long as the Bonds are registered in the name of Cede & Co., as nominee for The Depository Trust Company, Jersey City, New Jersey ("DTC"), notice of redemption shall be given in accordance with the terms of the Blanket Issuer Letter of Representations which has been executed by the Issuer and DTC (the "Representation Letter").

If less than all the Bonds of a maturity are called for redemption while the Bonds are registered in the name of Cede & Co., the Issuer or the Bond Registrar designated below will notify DTC of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interest in such maturity to be redeemed. If less than all the Bonds of a maturity are called for redemption and the Bonds are not registered in the name of Cede & Co., the Bond Registrar will determine by lot or other manner deemed fair, the amount of each maturity to be redeemed. All prepayments shall be at a price equal to the principal amount thereof plus accrued interest. If any Bond is redeemed in part, upon surrender of the Bond being redeemed, the Issuer shall deliver or cause to be delivered to the registered owner of such Bond, a Bond in like form in the principal amount equal to that portion of the Bond so surrendered not being redeemed.

Issuance; Purpose. This Bond is one of a series issued by the Issuer in the total aggregate amount of $1,730,000 General Obligation Permanent Improvement Revolving Fund Bonds, Series 2021B, all of like original issue date and tenor, except as to number, maturity date, redemption privilege, denomination and interest rate, pursuant to: (i) the authority contained in Minnesota Statutes, Chapters 429 and 475; (ii) the Constitution of the State of Minnesota and all other laws thereunto enabling; and (iii) an authorizing resolution adopted by the governing body of the Issuer on April 7, 2021 (the "Resolution") and is issued for the purpose of financing a portion of the costs of local public improvements. The principal of and interest on the Bonds are payable primarily from special assessments levied or to be levied against benefited property and ad valorem taxes pledged to the Permanent Improvement Revolving Sinking Fund of the Issuer, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred.

General Obligation. This Bond constitutes a general obligation of the Issuer, and to provide monies for the prompt and full payment of the principal and interest when the same become due, the full faith and credit and taxing powers of the Issuer have been and are irrevocably pledged.

Denominations; Exchange. The Bonds of this series are issued as fully registered bonds without coupons, in the denomination of $5,000 or any integral multiple thereof. The Issuer will, at the request of the registered owner, issue one or more new fully registered Bonds in the name of the registered owner in the aggregate principal amount equal to the unpaid principal balance of this Bond, and of like tenor except as to number and principal amount at the principal office of the Bond Registrar, but only in the manner and subject to the limitations provided in the Resolution and the Representation Letter. Reference is made to the Resolution for a description of the rights and duties of the Bond Registrar. Copies of the Resolution are on file in the principal office of the Bond Registrar.

Registration; Transfer. This Bond shall be registered in the name of the payee on the books of the Issuer by presenting this Bond for registration to the Bond Registrar, whose representative will endorse his or her name and note the date of registration opposite the name of the payee in the Registration Certificate attached hereto. Thereafter this Bond may be transferred by delivery with an assignment duly executed by the Holder or the Holder's legal representative, and the Issuer and Bond Registrar may treat the Holder as the person exclusively entitled to exercise all the rights and powers of an owner until this Bond is presented with such assignment for registration of transfer, accompanied by assurance of the nature provided by law that the assignment is genuine and effective, and until such transfer is registered on said books and noted hereon by the Bond Registrar, all subject to the terms and conditions provided in the Resolution and the Representation Letter and to reasonable regulations of the Issuer contained in any agreement with, or notice to, the Bond Registrar. Thereupon the Issuer shall execute (if required by law or the Resolution) and the Bond Registrar shall authenticate (if required by law or the Resolution) and deliver, in exchange for this Bond, one or more new fully registered Bonds in the name of the transferee, of an authorized denomination, in an aggregate principal amount equal to the principal amount of this Bond, of the same maturity, and bearing interest at the same rate.

Fees Upon Transfer or Loss. The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of this Bond and any legal or unusual costs regarding transfers and lost Bonds. No service charge shall be made by the Issuer for any transfer or exchange hereinbefore referred to but the Issuer may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection therewith.

Treatment of Registered Owner. The Issuer and Bond Registrar may treat the person in whose name this Bond is registered as the owner hereof for the purpose of receiving payment as herein provided and for all other purposes whatsoever, whether or not this Bond shall be overdue, and neither the Issuer nor the Bond Registrar shall be affected by notice to the contrary.

Authentication. This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until either (i) the Bond Registrar's Authentication Certificate hereon shall have been executed by the Bond Registrar by one of its authorized representatives or (ii) the Bond has been manually executed by at least one officer of the governing body of the Issuer.

IT IS CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed precedent to and in the issuance of this Bond in order to make it a valid and binding general obligation of the Issuer enforceable in accordance with its terms, have been done, have happened and have been performed in regular and due form, time and manner as so required; that, if necessary for payment of principal of and interest on the Bonds of this issue, ad valorem taxes may be levied upon all taxable property in the Issuer without limitation as to rate or amount; and that the issuance of this Bond on the date of original issue hereof and the date of its actual original issuance and delivery, does not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the City of Albany, Stearns County, Minnesota, by its governing body, has caused this Bond to be executed in its name by the facsimile or manual signature of the Mayor and attested by the facsimile or manual signature of the Administrator/Clerk-Treasurer, the Issuer having no seal or said seal having been intentionally omitted as permitted by law.

ATTEST:

(form- no signature required)	*(form-no signature required)*
Administrator/Clerk-Treasurer	Mayor

Date of Authentication: ____________________

BOND REGISTRAR'S AUTHENTICATION CERTIFICATE

The Bond Registrar confirms that the books reflect the ownership of the Bond registered in the name of the owner named above in the principal amount and maturing on the date stated above and this Bond is one of the Bonds of the series issued pursuant to the Resolution hereinabove described.

NORTHLAND TRUST SERVICES, INC.
MINNEAPOLIS, MINNESOTA
Bond Registrar

By______________________________
Authorized Representative

REGISTRATION CERTIFICATE

This Bond must be registered as to both principal and interest in the name of the owner on the books to be kept by Northland Trust Services, Inc. of Minneapolis, Minnesota, as Bond Registrar. No transfer of this Bond shall be valid unless made on said books by the registered owner or the owner's attorney thereunto duly authorized and similarly noted on the registration books. The ownership of the unpaid principal balance of this Bond and the interest accruing thereon is registered on the books of Northland Trust Services, Inc. in the name of the registered owner last noted below.

Date	Registered Owner	Signature of Bond Registrar
4/22/21	Cede & Co. c/o The Depository Trust Company 570 Washington Blvd. Jersey City, NJ 07310 Federal Taxpayer I.D. No.: 13-2555119	______________________

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto __________
____
____
(Name and Address of Assignee)

______________________ Social Security or Other
______________________ Identifying Number of Assignee

the within Bond and all rights thereunder and does irrevocably constitute and appoint _________ ____ attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: __________________

____
____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

____

(Bank, Trust Company, member of
National Securities Exchange)

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Issuer or its agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL, inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

4.02 Preparation and Execution. The Bonds shall be prepared for execution in accordance with the approved form and shall be signed by the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the Administrator/Clerk-Treasurer. The legal opinion of Fryberger, Buchanan, Smith & Frederick, P.A. shall be appended to each Bond. The corporate seal of the Issuer may be omitted from the Bonds as permitted by law. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be an officer before delivery of the Bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery.

4.03 Delivery of the Bonds. Delivery of the Bonds and payment of the purchase price shall be made at a place mutually satisfactory to the Issuer and the Purchaser. Printed or typewritten, and executed Bonds shall be furnished by the Issuer without cost to the Purchaser. The Bonds, when prepared in accordance with this Resolution and executed, shall be delivered by or under the direction of the Administrator/Clerk-Treasurer to the Purchaser upon receipt of the purchase price plus accrued interest.

Section 5. Covenants, Accounts and Tax Levies.

5.01 Covenants. It is determined that the Project will directly and indirectly benefit abutting property, and the Issuer covenants with the holders from time to time of the Bonds as follows:

A. The Issuer has caused or will cause the Special Assessments to be promptly levied and will take all steps necessary to assure prompt collection, and the levy of the Special Assessments is authorized for purposes of Minnesota Statutes, Section 475.55, Subdivision 3. The City Council will cause all further actions and proceedings to be taken with due diligence that are required for the construction of each portion of the Project financed wholly or partly from the proceeds of the Bonds, and for the final and valid levy of the Special Assessments and the appropriation of any other funds needed to pay the Bonds and interest thereon when due.

B. It is recognized that the Issuer's liability on the Bonds is not limited to the Pledged Revenues and the City Council covenants and agrees that in the event of any current or anticipated deficiency in Pledged Revenues, it will levy upon all taxable property within the Issuer and cause to be extended, assessed, and collected, any additional taxes found necessary for full payment of the principal of and interest on the Bonds, without limitation as to rate or amount.

C. The Issuer will keep complete and accurate books and records showing: receipts and disbursements in connection with the improvements and Special Assessments levied therefor and other funds appropriated for their payment, collections and disbursements thereof, monies on hand and the balance of unpaid Special Assessments.

D. The Issuer will cause its books and records to be audited and will furnish copies of such audit reports to any interested person upon request.

E. The City Council covenants and agrees with the holders of the Bonds and with its taxpayers that it will assess against benefited property not less than 20% of the cost of each project financed hereunder within the meaning of Minnesota Statutes, Section 475.58, Subdivision 1(3).

F. The Issuer covenants and agrees that it will let all construction contracts not heretofore let within one year after ordering each Project financed hereunder unless the resolution ordering the Project specifies a different time limit for the letting of construction contracts.

G. The Issuer further covenants and agrees that it will do and perform as soon as they may be done all acts and things necessary for the final and valid levy of such Special Assessments, and in the event that any such assessment be at any time held invalid with respect to any lot, piece or parcel of land due to any error, defect, or irregularity in any action or proceedings taken or to be taken by the Issuer or the City Council, or any of the Issuer officers or employees, either in the making of the Special Assessments or in the performance of any condition precedent thereto, the Issuer and the City Council will forthwith do all further acts and take all further proceedings as may be required by law to make the assessments a valid and binding lien upon such property.

5.02 <u>The Revolving Fund and the Sinking Fund</u>.

A. *Revolving Fund.* The Issuer, by prior resolution, has heretofore created a special fund designated the "Permanent Improvement Revolving Fund" (the "Revolving Fund"), administered and maintained by the Administrator/Clerk-Treasurer as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the Issuer. The Revolving Fund shall continue to be maintained in the manner heretofore specified in the prior resolution and as herein and hereafter specified until all of the Bonds and any other obligations made payable from the Revolving Fund (the "Additional Bonds") and the interest thereon and all improvements to be paid from the Revolving Fund have been fully paid.

B. *Purpose of Revolving Fund.* The Revolving Fund is intended for the payment, in whole or in part, of the costs (i) of "improvements" (as defined in Minnesota Statutes, Chapter 429) designated by the Issuer for funding therefrom for which at least twenty percent (20%) of the costs thereof are to be assessed against benefited properties; (ii) of water works, sewer system, or storm sewer system improvements described in Minnesota Statutes, Section 444.075; and/or (iii) of such other improvements as may be permitted in accordance with the terms of Section 429.091.

C. *Sinking Fund.* The Issuer, by prior resolution, has heretofore created a special fund within the Revolving Fund designated the "Permanent Improvement Revolving Sinking Fund," (the "Sinking Fund"), administered and maintained by the Administrator/Clerk-Treasurer as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the Issuer. The Sinking Fund shall continue to be maintained in the manner heretofore specified in the prior resolution and as herein and hereafter specified until all of the Bonds and Additional Bonds and the interest thereon have been fully paid.

D. *Accounts Established.* There shall be maintained in the Revolving Fund a separate account with respect to the Bonds, to be designated the "2021B Bonds Construction Account" and referred to herein as the "Construction Account." There shall be maintained in the Sinking Fund a separate account with respect to the Bonds, to be designated the "2021B Bonds Debt Service Account" and referred to herein as the "Debt Service Account."

E. *Construction Account.*

(1) On receipt of the purchase price of the Bonds, the Issuer shall credit (a) proceeds from the sale of the Bonds, less amounts allocated as capitalized interest funded from Bond proceeds (the "Capitalized Interest") and less amounts used to pay part of the interest cost of the issue as allowed by Minnesota Statutes, Section 475.56 (the "Additional Interest") and less Accrued Interest; plus (b) any Special Assessments levied with respect to the Project and collected prior to completion of the Project and payment of the costs thereof, to the Construction Account.

(2) From the Construction Account there shall be paid all costs and expenses of making the Project, including the cost of any construction contracts heretofore let and all other costs incurred and to be incurred of the kind authorized in Minnesota Statutes, Section 475.65; and the monies in said account shall be used for no other purpose except as otherwise provided by law; provided that the proceeds of the Bonds may also be used to the extent necessary to pay interest on the Bonds due prior to the anticipated date of commencement of the collection of Taxes or Special Assessments levied or covenanted to be levied; and provided further that if upon completion of the Project there shall remain any unexpended balance in the Construction Account, the balance (other than any Special Assessments) may be transferred by the City Council to the Revolving Fund to be used to pay the cost of any other improvement instituted pursuant to Minnesota Statutes, Chapter 429, and provided further that any Special Assessments credited to the Construction Account shall only be applied towards payment of the costs of the Project

upon adoption of a resolution by the City Council determining that the application of the Special Assessments for such purpose will not cause the Issuer to no longer be in compliance with Minnesota Statutes, Section 475.61, Subdivision 1. Other costs for which payment from the Construction Account is authorized shall include costs of legal, financial advisory, and other professional services, printing and publication costs, and costs of issuance of the Bonds.

(3) The Issuer reserves the right granted by Minnesota Statutes, Section 429.091, Subdivision 7a to establish a separate construction account within the Permanent Improvement Revolving Fund into which the Issuer may deposit the proceeds of Additional Bonds.

F. *Debt Service Account.*

(1) There is pledged and appropriated and there shall be credited to the Debt Service Account: (i) the Accrued Interest; (ii) the Capitalized Interest; (iii) the Additional Interest; (iv) Special Assessments levied or to be levied for the Project and either initially credited to the Construction Account and not already spent as permitted above and required to pay any principal and interest due on the Bonds or collected subsequent to the completion of the Project and payment of the costs thereof; (v) the Taxes; (vi) all funds remaining in the Construction Account after completion of the Project and payment of the costs thereof, not so transferred to the Revolving Fund; (vii) any and all other monies which are properly available and are appropriated by the governing body of the Issuer to the Debt Service Account; and (x) investment earnings on the monies identified in the foregoing clauses (i) through (vii). The proceeds of the Bonds described in clauses (i) through (iii) of the preceding sentence shall be used for payment of interest on the Bonds.

(2) The money in such account shall be used for no purpose other than the payment of principal and interest and redemption premium, if any, on the Bonds and any other general obligation bonds of the Issuer hereafter issued by the Issuer and made payable from said account as provided by law; provided, however, that if any payment of principal or interest shall become due when there is not sufficient money in the Debt Service Account, the Administrator/Clerk-Treasurer shall pay the same from any other fund of the Issuer, which fund shall be reimbursed from the Debt Service Account when the balance therein is sufficient.

(3) If any monies remain on deposit in the Debt Service Account or any Special Assessments are collected after payment in full of the Bonds, said funds may be transferred to or deposited in the Sinking Fund and used by the Issuer in accordance with applicable law.

G. *Appropriation.* The Issuer irrevocably appropriates $0.00 of prepaid Special Assessments to pay a portion of the construction cost of the Project.

5.03 Tax Levy. A. For the prompt and full payment of the principal and interest on the Bonds when due, the full faith and credit and taxing power of the Issuer are irrevocably pledged. There is levied a direct annual ad valorem tax upon all taxable property in the Issuer which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the Issuer. Said levies are for the years and in the amounts set forth in ATTACHMENT A hereto, which is incorporated by reference as though fully set forth herein.

B. The tax levies are such that if collected in full, they together with moneys pledged in Section 5.02F (1) for payment of the Bonds, will produce at least 5% in excess of the amount needed to meet when due the principal and interest payments on the Bonds.

C. The tax levies shall be irrepealable so long as any of the Bonds are outstanding and unpaid; provided, however, that on November 30 of each year, while any Bonds issued hereunder remain outstanding, the City Council shall reduce or cancel the above levies to the extent of funds available in the Debt Service Account to pay principal and interest due during the ensuing year, and shall direct the County Auditor to reduce the levy for such calendar year by that amount.

5.04 Investments. Monies on deposit in the Revolving Fund, the Construction Account and in the Debt Service Account may, at the discretion of the Administrator/Clerk-Treasurer, be invested in securities permitted by Minnesota Statutes, Chapter 118A, that any such investments shall mature at such times and in such amounts as will permit for payment of project costs and/or payment of the principal and interest on the Bonds when due.

Section 6. Certificates of Proceedings; Miscellaneous.

6.01 Filing of Resolution; County Auditor Certificate. The Administrator/Clerk-Treasurer is directed to file a certified copy of this Resolution in the office of the County Auditor of Stearns County, along with such other information as the County Auditor may require, and to obtain from the County Auditor a certificate stating that the Bonds herein authorized have been duly entered on the Auditor's register and that the tax required by law for the payment of said Bonds has been levied.

6.02 Authentication of Transcript. The officers of the Issuer are authorized and directed to prepare and furnish to the Purchaser and to Bond Counsel certified copies of all proceedings and records of the Issuer relating to the authorization and issuance of the Bonds and to the financial condition and affairs of the Issuer and other affidavits and certificates as may reasonably be requested to show the facts relating to the legality and marketability of the Bonds as such facts appear from the official books and records of the officers' custody or otherwise known to them. All of such certified copies, certificates and affidavits, including any heretofore furnished, constitute representations of the Issuer as to the correctness of facts recited therein and the actions stated therein to have been taken.

6.03 Offering Materials. The Official Statement relating to the Bonds, on file with the Administrator/Clerk-Treasurer and presented to this meeting, is approved and deemed final, and the furnishing thereof to prospective purchasers of the Bonds is ratified and confirmed, insofar as the same relates to the Bonds and the sale thereof. The Mayor and the Administrator/Clerk-Treasurer are authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

6.04 Absent or Disabled Officers. In the event of the absence or disability of the Mayor or the Administrator/Clerk-Treasurer, such officers or members of the City Council as in the opinion of the Issuer's attorney may act in their behalf shall, without further act or authorization, execute and deliver the Bonds, and do all things and execute all instruments and documents required to be done or executed by such absent or disabled officers.

6.05 Defeasance. When all Bonds have been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this resolution to the registered holders of the Bonds shall, to the extent permitted by law, cease. The Issuer may discharge its obligations with respect to any Bonds which are due on any date by irrevocably depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full; or if any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Bond Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit. The Issuer may also discharge its obligations with respect to any prepayable Bonds called for redemption on any date when they are prepayable according to their terms, by depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full, provided that notice of redemption thereof has been duly given. The Issuer may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a suitable banking institution qualified by law as an escrow agent for this purpose, cash or securities described in Minnesota Statutes, Section 475.67, Subdivision 8, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without regard to sale and/or reinvestment, to pay all amounts to become due thereon to maturity or, if notice of redemption as herein required has been duly provided for, to such earlier redemption date.

Section 7. Continuing Disclosure. The City Council acknowledges that the Bonds are subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule"). The Rule governs the obligations of certain underwriters to require that issuers of municipal bonds enter into agreements for the benefit of the Holders to provide continuing disclosure with respect to the Bonds. To provide for the public availability of certain information relating to the Bonds and the security therefor and to permit underwriters of the Bonds to comply with the Rule, which will enhance the marketability of the Bonds, the Mayor and the Administrator/Clerk-Treasurer are authorized and directed to execute a Continuing Disclosure Certificate substantially in the form of the Certificate currently on file in the office of the Issuer.

Section 8. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Section 9. Headings. Headings in this resolution are included for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

Section 10. Tax Covenants.

10.01 General.

A. The Issuer covenants and agrees with the Holders of the Bonds that the Issuer will (i) take all action on its part necessary to cause the interest on the Bonds to be exempt from federal income taxes including, without limitation, restricting, to the extent necessary, the yield on investments made with the proceeds of the Bonds and investment earnings thereon, making required payments to the federal government, if any, and maintaining books and records in a specified manner, where appropriate, and (ii) refrain from taking any action which would cause interest on the Bonds to be subject to federal income taxes, including, without limitation, refraining from spending the proceeds of the Bonds and investment earnings thereon on certain specified purposes.

B. The Issuer covenants with the Holders from time to time of the Bonds that it will not take, or permit to be taken by any of its officers, employees or agents, any action which would cause the interest payable on the Bonds to be subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"); and that it will take, or it will cause its officers, employees or agents to take, all affirmative actions within its powers which may be necessary to insure that such interest will not become subject to taxation under the Code.

C. No portion of the proceeds of the Bonds shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (i) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued and (ii) in addition to the above in an amount not greater than the lesser of five percent (5%) of the proceeds of the Bonds or $100,000. To this effect any proceeds of the Bonds and any sums from time to time held in the Debt Service Account (or any other Issuer account which will be used to pay principal or interest to become due on the Bonds payable therefrom) in excess of amounts which under then applicable federal arbitrage restrictions may be invested without regard to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by said arbitrage regulations on such investments after taking into account any applicable "temporary periods" or "minor portion" made available under the federal arbitrage regulations. Money in those funds shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

10.02. Small-Issuer Rebate Exception. For purposes of qualifying for the small-issuer exception to the federal arbitrage rebate requirements, the Issuer finds, determines and declares:

A. the Issuer is a governmental unit with general taxing powers;

B. the Bonds are not "private activity bonds" as defined in Section 141 of the Code;

C. 95% or more of the net proceeds of the Bonds are to be used for local governmental activities of the Issuer; and

D. the aggregate face amount of the tax-exempt obligations (other than private activity bonds), including the Bonds issued by the Issuer during the calendar year in which the Bonds are issued is not reasonably expected to exceed $5,000,000, all within the meaning of Section 148(f)(4)(D) of the Code.

10.03 Bank Qualification. In order to qualify the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code, the Issuer makes the following factual statements and representations:

A. the Bonds are not "private activity bonds" as defined in Section 141 of the Code;

B. the Issuer designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code;

C. the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, treating qualified 501(c)(3) bonds as not being private activity bonds) which will by issued by the Issuer (and all entities whose obligations will be aggregated with those of the Issuer) during the calendar year in which the Bonds are being issued will not exceed $10,000,000; and

D. not more than $10,000,000 of obligations issued by the Issuer during the calendar year in which the Bonds are being issued have been designated for purposes of Section 265(b)(3) of the Code.

10.04 Compliance With Reimbursement Bond Regulations. The provisions of this paragraph are intended to establish and provide for the Issuer's compliance with United States Treasury Regulations Section 1.150-2 (the "Reimbursement Regulations") applicable to the "reimbursement proceeds" of the Bonds, being those portions thereof which will be used by the Issuer to reimburse itself for any expenditure which the Issuer paid or will have paid prior to the Closing Date (a "Reimbursement Expenditure"). The Issuer certifies and/or covenants as follows:

A. Not later than sixty days after the date of payment of a Reimbursement Expenditure, the Issuer (or person designated to do so on behalf of the Issuer) has made or will have made a written declaration of the Issuer's official intent (a "Declaration") which effectively (i) states the Issuer's reasonable expectation to reimburse itself for the payment of the Reimbursement Expenditure out of the proceeds of a subsequent borrowing; (ii) gives a general and functional description of the property, project or program to which the Declaration relates and for which the Reimbursement Expenditure is paid, or identifies a specific fund or account of the Issuer and the general functional purpose thereof from which the Reimbursement Expenditure was to be paid (collectively the "project"); and (iii) states the maximum principal amount of debt expected to be issued by the Issuer for the purpose of financing the project; provided, however, that no such Declaration shall necessarily have been made with respect to: (i) "preliminary expenditures" for the project, defined in the Reimbursement Regulations to include engineering or architectural, surveying and soil testing expenses and similar prefatory costs, which in the aggregate do not exceed 20% of the "issue price" of the Bonds, and

(ii) a *de minimis* amount of Reimbursement Expenditures not in excess of the lesser of $100,000 or 5% of the proceeds of the Bonds.

B. Each Reimbursement Expenditure is a capital expenditure or a cost of issuance of the Bonds or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Reimbursement Regulations.

C. The "reimbursement allocation" described in the Reimbursement Regulations for each Reimbursement Expenditure shall and will be made forthwith following (but not prior to) the issuance of the Bonds and in all events within the period ending on the date which is the later of eighteen months after payment of the Reimbursement Expenditure or one year after the date on which the project to which the Reimbursement Expenditure relates is first placed in service, but not more than three years after the date of the Reimbursement Expenditure.

D. Each such reimbursement allocation will be made in a writing that evidences the Issuer's use of Bond proceeds to reimburse the Reimbursement Expenditure and, if made within 30 days after the Bonds are issued, shall be treated as made on the day the Bonds are issued.

10.05 Arbitrage Certification. The Mayor and the Administrator/Clerk-Treasurer, being the officers of the Issuer charged with the responsibility for issuing the Bonds pursuant to this Resolution, are authorized and directed to execute and deliver to the Purchaser an arbitrage certification in order to satisfy the provisions of the Code and the regulations promulgated thereunder.

10.06 Opinion of Counsel. Notwithstanding any other provision of this Section 10, any requirement imposed hereunder or under Section 5 hereof may be deemed inapplicable and of no force or effect if an opinion of counsel is rendered to the Issuer by nationally recognized Bond Counsel to the effect that the failure to impose such requirement will not adversely effect the status of interest on the Bonds to be treated as tax exempt.

Section 11. Post-Issuance Tax Compliance. The Issuer has previously approved a Pre- and Post-Issuance Compliance Policy and Procedures which applies to qualifying obligations to provide for compliance with all applicable federal regulations for tax-exempt obligations or tax-advantaged obligations (collectively, the "Policy and Procedures"). The Issuer hereby ratifies the Policy and Procedures for the Bond. The Administrator/Clerk-Treasurer continues to be designated to be responsible for post-issuance compliance in accordance with the Policy and Procedures.

Adopted April 7, 2021.

Mayor

ATTEST:

Administrator/Clerk-Treasurer

M:\DOCS\16756\000016\ROL\19K2595.DOC

ATTACHMENT A

$1,730,000 General Obligation Permanent Improvement Revolving Fund Bonds, Series 2021B
City of Albany, Minnesota

Levy Year	Collection Year	Tax Levy

CITY OF ALBANY MINNESOTA ...WHERE FRIENDLY PATHS CROSS!

320-845-4244
P. O. Box 370
Albany, Minnesota 56307

RESOLUTION 2021-11
APPROVING MINNESOTA
LAWFUL GAMBLING EXEMPT PERMIT APPLICATION

WHEREAS, the Seven Dolors Catholic Church has filed a Minnesota Lawful Gambling LG220 application for Exempt Permit to conduct a raffle at the Church of Seven Dolors, 151 2nd Street S. on August 8, 2021, and

WHEREAS, the City Council, of the City of Albany, County of Stearns, State of Minnesota, has reviewed the said application; and

WHEREAS, the City Council finds that appropriate circumstances exist; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALBANY, COUNTY OF STEARNS, STATE OF MINNESOTA, does hereby approve the Lawful Gambling application submitted by the Seven Dolors Catholic Church.

Approved by the City Council this 7th day of April, 2021.

Tom Kasner, Mayor

Tom Schneider, Clerk/Adm.

(S E A L)

American Rescue Plan Spending: Recommended Guiding Principles

Signed into law on March 11, 2021, **The American Rescue Plan Act of 2021** ("ARPA") provides $350 billion in additional funding for state and local governments. **Please click here for GFOA's analysis of ARPA**. The state funding portion is approximately $195 billion with $25.5 billion distributed equally among the 50 states and the District of Columbia and the remaining amount distributed according to a formula based on unemployment.

The local funding portion is approximately $130 billion, equally divided between cities and counties. Localities will receive the funds in two tranches–the first after the U.S. Treasury certifies the proceeds to each jurisdiction and the second one year later.

For cities, $65 billion is divided between jurisdictions that are Community Development Block Grant (CDBG) entitlement jurisdictions and those that are not. $45.5 billion of the $65 billion will be allocated to metropolitan cities utilizing a modified CDBG formula, and the remaining amount for jurisdictions that are non-entitlement CDBG, will be allocated according to population. For the non-entitlement jurisdictions, the amount will not exceed seventy- five percent of their most recent budget as of January 27, 2020. Additionally, non-entitlement jurisdictions proceeds will be allocated through the state for redistribution to local governments.

For counties, the $65 billion will be allocated based on the county's population. Counties that are CDBG recipients will receive the larger of the population or CDBG-based formula.

Eligible uses of these funds include:

- Revenue replacement for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent fiscal year prior to the emergency,
- COVID-19 expenditures or negative economic impacts of COVID-19, including assistance to small businesses, households, and hard-hit industries, and economic recovery,
- Premium pay for essential workers,
- Investments in water, sewer, and broadband infrastructure.

Restrictions on the uses of these funds include:

- Funds allocated to states cannot be used to directly or indirectly to offset tax reductions or delay a tax or tax increase;
- Funds cannot be deposited into any pension fund.

Funding must be spent by the end of calendar year 2024.

As with previous COVID-19 relief packages, implementation will be an extensive process as new or updated guidance and FAQs are developed and released by the **U.S. Treasury**. For example, the legislation requires each jurisdiction's executive to "certify" that the funds will be used for eligible purposes. That process is currently under development by the U.S. Treasury.

GFOA will provide regular updates as information becomes available. If you have specific questions or need clarification, GFOA has launched an **online portal** to gather member questions to help shape engagement and solicit answers from the Administration.

For many jurisdictions, the funding provided under ARPA is substantial and could be transformational for states and local governments in their pandemic rescue and recovery efforts. Elected leaders will need to decide how to best use the additional funding consistent with the ARPA requirements, which are very broad. Finance officers play a critical role in advising elected leaders on the prudent spending of moneys received under ARPA. *Finance officers are best positioned to help ensure the long-term value of investments and financial stability of its government using this one-time infusion of resources*. When considering how to best advise elected officials and plan for the prudent use of ARPA funds, we offer the following outline of Guiding Principles for the use of ARPA funds:

GFOA American Rescue Plan Act Guiding Principles

Temporary Nature of ARPA Funds. ARPA funds are non-recurring so their use should be applied primarily to non-recurring expenditures.

- Care should be taken to avoid creating new programs or add-ons to existing programs that require an ongoing financial commitment.
- Replenishing reserves used to offset revenue declines during the pandemic should be given high priority to rebuild financial flexibility/stability and restore fiscal resiliency.
- Use of ARPA funds to cover operating deficits caused by COVID-19 should be considered temporary and additional budget restraint may be necessary to achieve/maintain structural balance in future budgets.
- Investment in critical infrastructure is particularly well suited use of ARPA funds because it is a non-recurring expenditure that can be targeted to strategically important long- term assets that provide benefits over many years. However, care should be taken to assess any on-

going operating costs that may be associated with the project.

ARPA Scanning and Partnering Efforts. State and local jurisdictions should be aware of plans for ARPA funding throughout their communities.

- Local jurisdictions should be cognizant of state-level ARPA efforts, especially regarding infrastructure, potential enhancements of state funding resources, and existing or new state law requirements.
- Consider regional initiatives, including partnering with other ARPA recipients. It is possible there are many beneficiaries of ARPA funding within your community, such as schools, transportation agencies and local economic development authorities. Be sure to understand what they are planning and augment their efforts; alternatively, creating cooperative spending plans to enhance the structural financial condition of your community.

Take Time and Careful Consideration. ARPA funds will be issued in two tranches to local governments. Throughout the years of outlays, and until the end of ~~calendar year 2024,~~ consider how the funds may be used to address rescue efforts and lead to recovery.

- Use other dedicated grants and programs first whenever possible and save ARPA funds for priorities not eligible for other federal and state assistance programs.
- Whenever possible, expenditures related to the ARPA funding should be spread over the qualifying period (through December 31, 2024) to enhance budgetary and financial stability.
- Adequate time should be taken to carefully consider all alternatives for the prudent use of ARPA funding prior to committing the resources to ensure the best use of the temporary funding.

The influx of funds will undoubtedly benefit state and local finances, and aid in the recovery from the budgetary, economic, and financial impacts of the pandemic. Rating agencies will evaluate a government's use of the ARPA funds in formulating its credit opinion and, importantly, will consider your government's level of reserves and structural budget balance, or efforts to return to structural balance, as part of their credit analysis. Finance officers will play a critical role in highlighting the need to use ARPA funds prudently with an eye towards long-term financial stability and sustainable operating performance. The funding provided under ARPA provides a unique opportunity for state and local governments to make strategic investments in long-lived assets, rebuild reserves to enhance financial stability, and cover temporary operating shortfalls until economic conditions and operations normalize.

Unit	County	State	Allocation	
Albany city	Stearns County	Minnesota	0.31	$ 314,991.67
Albany township	Stearns County	Minnesota	0.12	$ 118,207.29
Ashley township	Stearns County	Minnesota	0.03	$ 31,544.72
Avon city	Stearns County	Minnesota	0.18	$ 181,068.96
Avon township	Stearns County	Minnesota	0.28	$ 282,308.15
Belgrade city	Stearns County	Minnesota	0.09	$ 88,712.40
Brockway township	Stearns County	Minnesota	0.33	$ 333,326.32
Brooten city	Stearns County	Minnesota	0.09	$ 85,409.89
Cold Spring city	Stearns County	Minnesota	0.49	$ 487,861.28
Collegeville township	Stearns County	Minnesota	0.39	$ 393,910.40
Crow Lake township	Stearns County	Minnesota	0.04	$ 39,060.79
Crow River township	Stearns County	Minnesota	0.04	$ 40,085.71
Eden Lake township	Stearns County	Minnesota	0.19	$ 190,862.63
Eden Valley city	Stearns County	Minnesota	0.06	$ 57,395.44
Elrosa city	Stearns County	Minnesota	0.03	$ 25,964.61
Fair Haven township	Stearns County	Minnesota	0.18	$ 183,574.32
Farming township	Stearns County	Minnesota	0.12	$ 122,420.84
Freeport city	Stearns County	Minnesota	0.08	$ 76,185.62
Getty township	Stearns County	Minnesota	0.05	$ 46,007.46
Greenwald city	Stearns County	Minnesota	0.03	$ 25,281.33
Grove township	Stearns County	Minnesota	0.06	$ 60,925.72
Holding township	Stearns County	Minnesota	0.14	$ 140,755.50
Holdingford city	Stearns County	Minnesota	0.08	$ 82,107.37
Kimball city	Stearns County	Minnesota	0.09	$ 90,876.12
Krain township	Stearns County	Minnesota	0.12	$ 120,826.52
Lake George township	Stearns County	Minnesota	0.04	$ 41,224.51
Lake Henry city	Stearns County	Minnesota	0.01	$ 12,640.66
Lake Henry township	Stearns County	Minnesota	0.03	$ 34,050.08
Le Sauk township	Stearns County	Minnesota	0.19	$ 190,293.23
Luxemburg township	Stearns County	Minnesota	0.08	$ 78,349.34
Lynden township	Stearns County	Minnesota	0.24	$ 236,414.57
Maine Prairie township	Stearns County	Minnesota	0.23	$ 228,784.62
Meire Grove city	Stearns County	Minnesota	0.02	$ 22,434.33
Melrose city	Stearns County	Minnesota	0.42	$ 416,344.74
Melrose township	Stearns County	Minnesota	0.09	$ 92,925.96
Millwood township	Stearns County	Minnesota	0.12	$ 119,004.44
Munson township	Stearns County	Minnesota	0.18	$ 179,702.40
New Munich city	Stearns County	Minnesota	0.04	$ 36,897.07
North Fork township	Stearns County	Minnesota	0.03	$ 30,292.04
Oak township	Stearns County	Minnesota	0.07	$ 71,174.91
Paynesville city	Stearns County	Minnesota	0.29	$ 286,863.34
Paynesville township	Stearns County	Minnesota	0.17	$ 171,844.70
Raymond township	Stearns County	Minnesota	0.03	$ 31,772.48
Richmond city	Stearns County	Minnesota	0.17	$ 167,403.38
Rockville city	Stearns County	Minnesota	0.29	$ 294,379.41
Roscoe city	Stearns County	Minnesota	0.01	$ 12,868.42

Sartell city	Stearns County	Minnesota	1.87	$ 1,869,451.63
Sauk Centre city	Stearns County	Minnesota	0.51	$ 513,028.73
Sauk Centre township	Stearns County	Minnesota	0.13	$ 132,556.15
Spring Hill city	Stearns County	Minnesota	0.01	$ 10,363.07
Spring Hill township	Stearns County	Minnesota	0.04	$ 44,982.54
St. Anthony city	Stearns County	Minnesota	0.01	$ 10,363.07
St. Augusta city	Stearns County	Minnesota	0.44	$ 436,729.23
St. Cloud city	Stearns County	Minnesota	15.72	$ 15,716,547.63
St. Joseph city	Stearns County	Minnesota	0.84	$ 837,130.78
St. Joseph township	Stearns County	Minnesota	0.15	$ 152,599.00
St. Martin city	Stearns County	Minnesota	0.04	$ 39,630.19
St. Martin township	Stearns County	Minnesota	0.06	$ 63,203.32
St. Rosa city	Stearns County	Minnesota	0.01	$ 8,085.47
St. Stephen city	Stearns County	Minnesota	0.10	$ 98,506.07
St. Wendel township	Stearns County	Minnesota	0.27	$ 265,226.17
Waite Park city	Stearns County	Minnesota	0.88	$ 884,618.68
Wakefield township	Stearns County	Minnesota	0.33	$ 333,326.32
Zion township	Stearns County	Minnesota	0.04	$ 40,768.99

Tom Schneider

From: Coalition of Greater MN Cities <cgmc_communications@flaherty-hood.com>
Sent: Thursday, March 25, 2021 5:54 PM
To: tschneider@ci.albany.mn.us
Subject: CGMC in Brief

CGMC in Brief - March 25, 2021 View this email in your browser

March 25, 2021

Federal dollars complicate state budgeting

Between the $1.6 billion state budget surplus and the several billion dollars of federal aid coming to Minnesota, the state's fiscal situation is as positive as could be hoped for since the start of the pandemic. However, having so much money from various sources may make closing a state budget deal especially tricky. Nonetheless, this is — as they say — "a high-quality problem."

The greatest challenge with the funds coming from the federal American Rescue Plan (ARP) is the fact that under state law Gov. Walz has almost exclusive authority to spend it. Naturally, this does not sit well with legislative Republicans, and even some DFLers would prefer that the Legislature have some input in the spending.

On March 19, Gov. Walz sent a letter to the Legislature advising of his plans to spend the federal dollars. According to state law, a member of a group known as the Legislative Advisory Commission (LAC) could put a hold on the Governor spending the money. However, this hold is only good so long as the Legislature is in session. This means that the Legislature and Governor can come to an agreement to spend the money together up until May 17, but if there is no agreement by then, the Governor can go ahead and spend the money unilaterally. This is similar to what happened with the CARES Act money for local governments this last summer.

One could easily see the Legislature attempting to tie resolution of the regular state budget to a joint agreement on how to spend the ARP money. And in truth the two issues are linked. For instance, there is quite a bit of money set aside for child care in the ARP, and theoretically some of CGMC's child care priorities could be funded using either state general fund dollars or money from the ARP. Likewise, one of the potential uses for the ARP money is sewer and water infrastructure. Using ARP dollars to pay for these projects could free up space in a bonding bill or allow the state to do even more infrastructure investment.

Needless to say, having additional money will help address many issues, including funding for some of CGMC's key priorities, but it doesn't necessarily make coming to an agreement at the end of session any easier.

CGMC staff meets with Governor's office to discuss infrastructure, federal funding

One of the CGMC's top priorities this year is funding for wastewater and water infrastructure. Even though the 2020 bonding bill contained a record amount of funding for water infrastructure, there are still many projects ready to go this year that were not funded. We have been advocating for $100 million in a bonding bill this year for the Public Facilities Authority (PFA) grant and loan programs, but as mentioned in the article above, it appears there may be another opportunity for funding from the federal government's American Rescue Plan (ARP). A section of the ARP provides funding to the state that can be used for water, wastewater or broadband infrastructure, among other items.

Earlier today, CGMC Executive Director Bradley Peterson and lobbyist Elizabeth Wefel met with key staff in the Governor's office to discuss how the Governor plans to prioritize spending these federal funds. The Walz administration plans to undertake a simplified version of the typical budget process, where they will seek proposals from certain agencies, vet them, and then make a proposal within the next month.

We learned that the PFA was not included in the initial list of agencies from whom the Governor's office plans to seek proposals. However, after we explained the need for additional water and wastewater infrastructure funding, the Governor's staff said they would follow up to see if the PFA could be included. We will also follow up with the Governor and other agencies regarding the urgency for water infrastructure funds.

If you have any questions, please contact Elizabeth Wefel at eawefel@flaherty-hood.com.

Minnesota House DFL releases budget proposal

On Tuesday, Minnesota House DFL leaders announced their budget proposal's framework and priorities. During a press conference, House DFL leadership made it clear their focus for the 2022-2023 budget will be on helping those hurt most during the pandemic.

CGMC legislative priorities included in the DFL proposal are:

- $145.6 million for housing
- $285.3 million for workforce & business development
- $372.6 million for environment
- $1.65 billion for capital investment
    - Including $500 million in general obligation bonds and $500 million in appropriation bonds

The House DFL budget target of $52.5 billion is the highest among the three major budget proposals. Gov. Walz proposed $52.3 billion in his latest proposal and the Senate Republicans' plan topped off at $51.9 billion.

You can view further details about the press conference and House committee targets here.

CGMC seeks greater certainty on 'dial turns'

This week, the CGMC sent a letter to Gov. Walz and the four legislative leaders regarding plans for future reopening or restricting of businesses and activities in response to the COVID-19 pandemic. The letter, which was signed by CGMC President Greg Zylka and drafted in consultation with the CGMC board, expresses our hope that the state will provide a more clearly articulated set of metrics and benchmarks that can inform decisions regarding when and how to "turn the dial" on the reopening or restricting businesses, gatherings and other activities.

The letter does not suggest what the appropriate benchmarks should be, but rather calls for more information so that city leaders and all Minnesotans have a clearer understanding of how decisions are made and what goals (such as infection rates, hospitalizations, deaths and vaccine deployment) must be met before additional reopening can occur.

The letter also calls on the Governor and legislative leaders to work together on decisions related to pandemic response and again channel the spirit of common purpose that was prevalent at the beginning of the pandemic.

We will continue to keep you informed as we learn more about additional "dial turns" or other state actions related to the pandemic that impact businesses and local governments.

CGMC supports parks and trails funding

This week, the CGMC submitted a letter of support for legislation sponsored by Greater Minnesota Parks and Trails. The bill, SF 787 (authored by Sen. Carrie Ruud, R-Breezy Point) would provide $900,000 to the Greater Minnesota Regional Parks and Trails Commission out of the state's general fund to pay for operating expenses.

The Commission plays an important role in developing and implementing the regional park system and grants under the Legacy amendment. Its operations are currently paid for out of the 20% of Legacy parks and trails funds received by Greater Minnesota. Switching the source of funding to the general fund would free up more money for parks and trails projects.

If you have any questions, please contact Elizabeth Wefel at eawefel@flaherty-hood.com.

Child care focus of upcoming Center for Rural Policy event

The Center for Rural Policy and Development (CRPD) is launching a new four-part series, Interconnected Conversations, that focuses on bridging the divide between urban & rural Minnesota by exploring our shared challenges and how to design a future that works for our unique communities. Each event will begin with a look at CRPD's latest research, followed by a panel discussion with speakers from urban and rural areas.

The first Interconnected Conversation will focus on the child care crisis. What are the similarities and differences in child care between urban and rural Minnesota? Are different business models part of the solution? How does the child care crisis relate to other parts of our economy?

Details of this inaugural conversation below. CGMC members are welcome to register and participate.

Childcare: A Complex Crisis
Monday, March 29
2:30-3:45 p.m.
Online meeting with recording available afterwards
Register here

Panelists:

- **Karen DeVos** – Owner of Little Learners Early Childhood Center in Ada

- **Vanessa GoodThunder** – Director of the Çaŋšayapi Wak̦aŋyeža Owayawa Oți, the Lower Sioux Early Head Start and Head Start Dakota language immersion program in Morton
- **Dianne Haulcy** – Senior Vice President of Family Engagement at Think Small in St. Paul
- **Shirley Toby** – In-home child care provider from Crystal
- **Marnie Werner** – Vice President of Research & Operations, Center for Rural Policy & Development, Mankato
- **Moderator: Christina Palladino** - Senior Principal at Park Street Public, St. Paul

EQB seeks feedback on proposed changes to Environmental Review Program

Construction or expansion projects proposed within your city sometimes require preparation of Environmental Assessment Worksheets (EAW) or Environmental Impact Statements. Minnesota's Environmental Quality Board (EQB) is considering changes to the Environmental Review Program to include climate change information in the EAW as well as a proposed, new mandatory category.

Because these proposed changes may affect your community, the EQB is encouraging city leaders to take a short online survey to provide feedback. The survey is available at surveymonkey.com/r/ERIS and it should take fewer than 10 minutes to fill out. Information you provide will be used to help shape the changes to the program. The deadline to fill out the survey is April 9.

In addition, the EQB is hosting its second listening session virtually on Saturday, March 27 from 10 a.m. to 11:30 a.m. The listening session provides opportunities to engage with staff and other participants on the proposed changes.

For more details about this listening session, the proposed changes, or other ways to submit feedback, please visit the Climate Change and Environmental Review webpage. Written feedback must be submitted by March 31.

EPA to host webinars for small-community wastewater operators and leaders

The U.S. Environmental Protection Agency is hosting a series of webinars aimed at wastewater and drinking water operators and leaders in small communities. The goal of the webinars is to improve utility operations and promote effective management. The five-part series starts Thursday, April 1 with a 2-hour session on wastewater treatment systems and will continue each Thursday in April. Learn more here.

Save the date!

Please mark your calendar for upcoming CGMC events and important dates. More details can be found at ***greatermncities.org/events****.*

- **CGMC Fall Conference:** Nov. 18-19, 2021, Willmar

Facebook Twitter Website Email YouTube

Visit us online at greatermncities.org

Our mailing address is:
Coalition of Greater Minnesota Cities
525 Park St., Suite 470
St. Paul, MN 55103

Contact: Bradley Peterson at bmpeterson@flaherty-hood.com or 651-225-8840

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Xcel Energy providing $17.5 million to help residential customers behind on electric bills

Newly approved program will support customers most in need during COVID-19

MINNEAPOLIS (March 12, 2021) – Xcel Energy will soon begin delivering $17.5 million in assistance to residential customers who have fallen significantly behind on the electric bills during the COVID-19 recession, which has caused economic hardship for many in our communities. The Minnesota Public Utilities Commission approved the plan this week, which will help customers who may have the most trouble catching up on their bills.

In early 2020 when the scope of the pandemic became clear, the company voluntarily stopped disconnecting customers for non-payment, and it also proposed the program to provide direct customer bill credits. Residential electric customers with balances of $1,000 to $4,000 who do not currently have a payment arrangement set up can enroll in this new program and receive bill credits for up to 75% of their current balance. When a customer enrolls, 25% will be provided as an upfront credit and the remaining 50% will be issued in equal monthly bill credits for the length of the payment plan.

"As challenges from the global pandemic continue to take their toll on our economy, we have many customers who have fallen far behind on their bills and, even with traditional assistance, may not be able to catch up," said Chris Clark, president, Xcel Energy-Minnesota. "We want to help customers who are most in need during this difficult time, and the Payment Plan Credit Program will provide direct relief to those who need it."

Following the Commission's approval of the program, Xcel Energy will begin the process of implementing the plan and contacting eligible customers to set up payment arrangements, which should occur later this spring. Xcel Energy will also look for other available assistance options and connect them with agencies who may be able to provide additional help.

Xcel Energy will provide $17.5 million to fully fund the program.

In addition to providing this direct assistance to residential customers, Xcel Energy is also working to support business customers who have seen reduced sales through the pandemic and has proposed more than $2.5 billion in accelerated and incremental energy infrastructure projects to help jumpstart the economy and create new jobs.

###

About Xcel Energy

Xcel Energy (NASDAQ: XEL) provides the energy that powers millions of homes and businesses across eight Western and Midwestern states. Headquartered in Minneapolis, the company is an industry leader in responsibly reducing carbon emissions and producing and delivering clean energy solutions from a variety of renewable sources at competitive prices. For more information, visit xcelenergy.com or follow us on Twitter and Facebook.

CITY OF ALBANY
JOB DESCRIPTION

POSITION:	Laborer	**APPROVED:**	_______, 2021
DEPARTMENT:	Public Works Department	**STATUS:**	Non-Exempt
REPORTS TO:	Public Works Supervisor		

GENERAL DESCRIPTION OF WORK

To perform a wide variety of skilled and general maintenance work activities and functions including operating, maintaining, inspection, and repairing municipal infrastructure and equipment associated with the following: water distribution system, wastewater treatment system, stormwater system/ponds, streets, parks, and municipal buildings.

DUTIES AND RESPONSIBILITIES

- Participate in snow plowing and ice control operations.
- Assist and participate in responding to emergencies affecting municipal infrastructure functions and other urgent matters.
- Operate a variety of common industry and specialized vehicles, heavy and light equipment, machinery and tools.
- Perform difficult and other routine manual labor during completion of work tasks and assignments.
- Troubleshoot, correct and repair municipal infrastructure, equipment and tools to ensure proper function and performance in a cost-effective manner.
- Document and record maintenance, inspections, repairs, installations and other work activities.
- Locate and mark underground municipal infrastructure involving water, sanitary sewer, and stormwater as part of the Gopher State One Call program. Obtain and reference as-built drawings, and other archive records and translate to field locations. Use utility line locator, GIS technology, or hand digging to locate underground utilities.
- Responsible for completing work assigned and may perform other tasks as assigned by the Public Works Supervisor, including call back and on call for after hours and weekend maintenance, repairs and emergencies.
- Keep maintenance facility and work areas in a safe, clean and organized condition.
- Attend and participate in internal and external safety and certification training.
- Maintain and repair municipal buildings and equipment by performing a variety of carpentry, painting, plumbing, electrical, heating, air conditioning and mechanical work.
- Perform preventative maintenance for heating, ventilation and air conditioning equipment.
- Inspect facilities to identify building maintenance needs. Assist and participate in facility improvements and alterations.
- Assist with responding to citizen requests and complaints, including investigating various matters.

Water

- Assist in the operation and maintenance of the water treatment plant including utilizing the Supervisory Control and Data Acquisition (SCADA) system, properly and safe handling of hazardous chemicals. Troubleshoot and diagnose program and treatment performance failures or mechanical failures and make adjustments or repairs as directed.
- Operate and maintain water main, gate valves, hydrants and other infrastructure of the water distribution system.
- Perform preventative system maintenance on all water system equipment.
- Respond to and participate in locating water main breaks.
- Install, inspect, test, and repair water meters and wireless transmitter readers.

Wastewater

- Operate and maintain wastewater treatment facility, lift stations, aeration basin, and pond system.
- Operate and maintain wastewater mechanical equipment including lift stations, grinders, pumps, meters and other components. Participate in diagnosing mechanical failures and making repairs as needed.
- Perform inspections by operating sewer televising and maintenance equipment including sewer camera, computer, and other related equipment. Record video inspections and document infrastructure inadequacies in an electronic database of inspection records.
- Assist and participate in detection of inflow and infiltration activities, including wet weather flow inspections and illegal connection investigations.

Stormwater

- Maintain, inspect and operate the storm sewer system including all equipment.
- Participate in Best Management Practices (BMP's) related to the City's Stormwater Pollution Prevention Program (SWPPP).

Street

- Operate snow plow truck and/or front-end loader or other light equipment, and anti-icing equipment during the winter months and street sweeper during non-winter months.
- Perform preventative maintenance on all related equipment.
- Inspect for deficiencies and conduct repair operations as needed on all street surfaces.
- Inspect, install and maintain traffic signage and associated apparatus. Paint crosswalks, curbs, and parking lot striping as needed.
- Maintain and inspect right-of-way and boulevard vegetation and trim or remove trees.

Parks

- Perform turf maintenance and landscape duties in parks.
- Maintain and repair park and recreation facilities and equipment.
- Operate, maintain and repair the parks irrigation systems.
- Perform janitorial and light building maintenance duties in park buildings.
- Participate in inspecting and diagnosing park and recreation facilities/playground equipment for unsafe and hazardous conditions.

ESSENTIAL KNOWLEDGE, SKILLS AND ABILITIES

Communications: Must have the ability to actively listen to others for understanding of their needs and situations; ability to speak and write English clearly. Must be able to assertively control conversations in order to quickly and accurately gather pertinent information and be able to communicate this information professionally and precisely to the proper recipient. Be able to read and understand correspondence, memoranda, and directives.

Decision Making: Must act in a decisive manner, using good judgment. Must be able to assess problems and situations, able to anticipate needs and evaluate alternatives. Must have knowledge of the utilization of appropriate resources and the willingness to initiate use of available resources.

Interpersonal Relationships: Must be consistent in dealing with people; must have the ability to accept criticism and/or discipline; must have tact and diplomacy; must strive to promote a cooperative atmosphere in the department; and must have a positive attitude.

Professional Attitude: Must have commitment to the organization; willingness to take initiative; dependability; maturity in relationships with others; and self-confidence. Must represent the organization to other agencies and citizens with a courteous, helpful, accurate and professional attitude.

Quality of Work: Must be able to produce quality and accurate work. Must be able to detect and correct errors. Must be able to prioritize and perform multiple tasks simultaneously. Must be able to utilize work time properly and productively. Must be able to coordinate and follow through on projects to completion. Must be able to work independently on a wide variety of projects and assignments.

Physical Abilities: Must have the ability to read and discern visual images on a variety of media. Must have the ability to record names and numbers accurately (e.g., not transpose numbers and/or letters). Must have the ability to hear while answering the telephone. Must have the ability to bend regularly. Must have the ability to lift, carry and/or move heavy objects weighing up to 70 pounds. The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands and fingers, handle, or feel objects, tools, or controls; and reach with hands and arms. Specific vision abilities required by this job include close vision and the ability to adjust focus. Exposure to fumes or airborne particles, exposure to extreme heat and cold weather conditions.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. The noise level in the office work environment is usually moderately noisy. The noise level in the field environment is usually moderately noisy to noisy.

TOOLS AND EQUIPMENT USED

- Industrial and construction equipment including, but not limited to, snow plow, dump truck, front-end loader, pick-up trucks, generators, concrete saw, jackhammer, welding machine, chop saw, torch, and paint sprayer.
- Specialized industry equipment including, but not limited to, locators, camera systems, mechanical street sweeper, sewer jetting machine, sewer vacuum, crack sealing kettle, motorized valve wrenches, and other specialized equipment.
- Common turf and landscape maintenance equipment.

DESIRABLE TRAINING AND EXPERIENCE

- General principles and practices of municipal operations and functions.
- Methods and procedures for operating, maintaining and repairing infrastructure.
- Proper safety precautions related to all work performed, including safe handling and application of chemicals used in work and stored on site.
- Operating hand and power tools, mechanical equipment, vehicles, and other heavy and light equipment commonly used for essential duties and responsibilities.
- Assessing in-field conditions and problems and determining workable solutions to resolve them with limited supervision.
- Work on-call and participate in rotating standby duty schedule.
- Work independently or on a team and complete daily work tasks and multi-day project assignments while meeting a work schedule.
- Perform difficult manual labor tasks including lifting heavy objects, stooping, bending, and twisting; including performing work tasks for extended periods of time and in adverse weather conditions.
- Learn how to perform general, skilled, and semi-skilled tasks in a variety of construction, maintenance, repair and inspection activities.
- Read maps, construction and as-built drawings, and sketches.
- Keep accurate records of time sheets, work assignments, inspection and maintenance activities, repair materials, purchase receipts and as-built information in hard copy and electronic formats.
- Obtain and keep current all licenses required.
- Purchase operating supplies and keep track of receipts for further processing.
- Make recommendations to supervisor on operating and maintenance matters involving personnel, equipment, procedures, policies, etc. that will improve department functions.
- Establish and maintain cooperative working relationships with those contacted in the course of work, including co-workers, other departments, other agencies, vendors and the public.
- Communicate effectively, in English, both verbally and in writing.
- Pass a Department of Transportation (DOT) medical physical and drug test.
- Basic use of computers and software programs; experience with Microsoft Office Professional and Supervisory Control and Data Acquisition (SCADA) systems preferred.

MINIMUM QUALIFICATIONS

Minimum qualifications include a high school diploma or GED. One-year experience in general, skilled or semi-skilled labor performing maintenance, equipment repair, construction, other similar job-related tasks on municipal infrastructure or operating motorized equipment for these activities. Two years or more is desirable. Must possess of a valid Minnesota Class B Commercial Driver's License.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.