

Pursuant to due call and notice thereof a regular meeting of the Council in and for the City of Albany, Stearns County, Minnesota, was called to order by Mayor Daron Gersch at 6:30 o'clock in the evening on Wednesday, January 16, 2013, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors John Greer, John R. Harlander, Laurie Dingmann, and Tom Kasner. None were absent for the meeting.

Also present were: Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Stan Hanson, the City Engineer with Stantec, Inc., Mike Kosik, Staff Writer, Albany Enterprise, Nate Watson, resident, Chad Meemken, resident, Jennifer Gwilt, resident, Brett Fischer, student at Albany Area High School, and the following Albany Police Department Personnel: Jeff Eggert, John Arneson, Aaron Baros, and Kristie Watson.

After due discussion, a motion was made by John Greer and seconded by Laurie Dingmann to authorize the payment of the following bills: Check Numbers 63006 to 63053 and 14697 to 14710. All voted for the motion and it carried. The complete check register is on file at the office of the City Clerk/Adm. for public inspection during regular office hours.

Mayor Daron Gersch called for any corrections or additions to the minutes of the regular meeting held on January 2nd and hearing none declared them approved.

Randy Ritter appeared before the Council on behalf of the Albany Area Jaycees, to request approval for an Event Permit for their 15th annual Ice Cup Golf Challenge to be held on the North Lake on Saturday, February 23rd. Mr. Ritter noted that there are fifty-two teams with five individuals per team that compete against each other in a scramble format which requires each individual to hit a golf ball on fairways constructed on the ice selecting the best shot from the five players. Mr. Ritter also requested that a Police Officer speak to the contestants before the start to ensure that everyone participating in the event has a safe and fun experience. After due discussion, a motion was made by Tom Kasner and seconded by John R. Harlander to approve the said Permit contingent upon the City receiving the appropriate liability insurance certificate. All voted for the motion and it carried.

Joyce Frericks, General Manager, Albany Enterprise, appeared before the Council to present a proposed draft of marketing materials to be distributed for the 2013 Railroad Avenue (T.H. #238) Improvements. Ms. Frericks noted that the cost for the following: brochures, news coverage, advertising, and business signs are nearly \$6,800. Mr. Kasner informed the Council that the information was presented to the Mainstreet Committee on January 15th and it was recommended by the committee that the aforesaid materials be approved. After due discussion, a motion was made by Tom Kasner and seconded by Laurie Dingmann to authorize the Albany Enterprise to prepare the aforesaid materials for the 2013 Railroad Avenue (T.H. #238) Improvements. All voted for the motion and it carried.

Steve Blenker, Albany Emergency Management Director, appeared before the Council to inform the Council that a representative from Stearns County Emergency Management will be conducting a National Incident Management System (NIMS) training session at the Albany Fire Hall on Wednesday, January 23rd for police officers, firemen, and elected officials who have not been trained in the introductory level courses for NIMS certification. Mr. Blenker provided the Council with background information on NIMS training and noted that when the City applies for federal grants of any kind, NIMS certification is required to be eligible for the funds. Mayor Daron Gersch thanked Mr. Blenker for attending the meeting and providing NIMS information to the Council members.

Ervin Bueckers, owner of Bueckers City Sanitation, Inc., Melissa Bueckers, Operations Manager, and Pam Nissen, Office Manager, appeared before the Council to request a \$2.00 monthly residential rate increase and contract extension for an additional ten years to the current Refuse Removal Agreement dated August 24, 2010 through December 31, 2016. Mr. Bueckers informed the Council that expenses for his business operations have increased significantly the past several years and has not had any increase in monthly rates during this time. Mr. Bueckers noted that he is not in favor of adding a fuel surcharge or

landfill fee increases to the monthly invoice for residential customers even though the current agreement provides for increases. After due discussion, a motion was made by John R. Harlander and seconded by Tom Kasner to authorize the Mayor and City Clerk/Administrator to enter into a Refuse Removal Agreement with Bueckers Environmental Services, Inc., dba Bueckers City Sanitation for a period beginning April 1, 2013 through March 31, 2023, increase the monthly residential refuse rate \$2 per month which includes recyclable and yard waste pickup, and not to include a fuel surcharge in the new agreement. Voting for the motion were Mayor Daron Gersch, John R. Harlander, Laurie Dingmann, and Tom Kasner. Councilor John Greer voted against and the motion carried.

Mr. Mergen presented to the Council the renewal of a Wastewater Discharge Permit between Kraft, Inc., 600 Railroad Avenue, and the City of Albany. Mr. Mergen informed the Council that there have been no issues between the business and the City and recommended approval of the said permit. Mr. Mergen noted that the permit would be for a three-year period and that Kraft representatives had no objections with the permit requirements. After due discussion, a motion was made by Tom Kasner and seconded by John R. Harlander to authorize the Mayor and City Clerk/Administrator to execute the said permit on behalf of the City of Albany. All voted for the motion and it carried.

Mr. Hanson informed the Council that bids will be opened at 10:00 o'clock in the morning at City Hall on Friday, January 18th for the 2013 Railroad Avenue (T.H. #238) Improvements. Mr. Hanson noted that MnDOT will also review the bids received to assure that all bid items were correctly calculated.

Mayor Daron Gersch presented to the Council two applications received for a two-year term on the Planning Commission. Mayor Daron Gersch noted that there is a vacancy due to former Planning Commission member John R. Harlander elected to the City Council. After due discussion, a motion was made by John R. Harlander and seconded by John Greer to approve Adam Rushmeyer, 100 Whispering Oaks Lane, to a two-year term on the Planning Commission. All voted for the motion and it carried.

Councilor John Greer, Police Department Liaison, informed the Council that he, Mayor Daron Gersch, and the City Clerk/Administrator met with Jason Falconer, Police Chief, to discuss the concept of creating a Joint Powers Agreement between the Cities of Albany and Avon to operate one police department for both municipalities. Mr. Greer questioned if the collaboration of two police departments could be feasible or should both cities continue to operate as separate police departments. Mayor Daron Gersch informed the Council that it will take several months to gather information to determine whether or not one police department for two cities would be the right decision, but the immediate need for the City is to hire a Police Chief. Mr. Harlander noted that even if no Joint Powers Agreement is considered, both police departments will continue to work with each other. Ms. Dingmann questioned if one police department for two cities would be a cost savings for the communities or when would savings become a reality. After due discussion, a motion was made by Mayor Daron Gersch and seconded by John Greer to authorize the City Clerk/Administrator to prepare the necessary employment information to hire a Police Chief for the Albany Police Department and to direct the City Clerk/Administrator and new Police Chief to obtain information from the League of Minnesota Cities or other sources that had formed a single police department under a Joint Powers Agreement providing police protection services to more than one community. Voting for the motion were Mayor Daron Gersch, John R. Harlander, John Greer, and Tom Kasner. Councilor Laurie Dingmann voted against and the motion carried. *(Action rescinded by the Council at the February 6th Council meeting.)*

Mr. Schneider presented to the Council a proposed resolution to change the date for the sale of the City's \$1,080,000 General Obligation PIR Fund Bonds, Series 2013A to February 6th relating to the 2013 Railroad Avenue (T.H. #238) Improvements. After due discussion, a motion was made by John Greer who introduced the following Resolution and moved its adoption:

RESOLUTION 2013-01
PROVIDING FOR THE CHANGE IN SALE DATE FOR THE
\$1,080,000 G.O. PERMANENT IMPROVEMENT REVOLVING FUND BONDS
SERIES 2013A

The motion for the foregoing Resolution was seconded by Tom Kasner and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Daron Gersch, Councilors Laurie Dingmann, John R. Harlander, John Greer, and Tom Kasner, and none voted against 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 renewal for a one-year Transportation Program Contract between the City of Albany and Tri-County Action Program, Inc. Mr. Schneider informed the Council that the said program will provide the residents of the City dial-a-ride transportation services each week on Tuesdays during the hours of 9:30 a.m. to 1:00 p.m. Mr. Schneider noted that an individual from the community donated the funds to operate the transportation services. After due discussion, a motion was made by John R. Harlander and seconded by John Greer to authorize the Mayor and City Clerk/Administrator to execute the said contract on behalf of the City. All voted for the motion and it carried.

Mr. Schneider recommended that the Council authorize funds to be transferred from the City's debt service account to the general fund account. Mr. Schneider noted that several hundred thousand dollars have been spent on the 2013 Railroad Avenue (T.H. #238) Improvements prior to the improvements being started which resulted in a cash flow shortage in the general fund. Mr. Schneider informed the Council that MnDOT will reimburse the City for eligible expenses related to the Railroad Avenue Improvements and upon the approval of the bond sale, funds deposited in the general fund can be transferred back to the debt service fund. After due discussion, a motion was made by John R. Harlander and seconded by Laurie Dingmann to authorize the said money transfer in the amount of \$700,000. All voted for the motion and it carried.

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, February 6, 2013 and adjourned the meeting at 7:55 PM.

Tom Schneider, Clerk/Adm.