

Pursuant to due call and notice thereof a regular meeting of the Council in and for the City of Albany, Stearns County, Minnesota, was called to order by Mayor Tom Kasner at 6:30 o'clock in the evening on Wednesday, October 6, 2021, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Keith Heitzman, Al Amdahl, and Adam Rushmeyer. Councilor John R. Harlander was absent.

Other's present were: Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Jeremy Mathiasen, the City Engineer with the firm of Stantec, Inc., St. Cloud, MN, Ozzie Carbajal, Police Chief, Carter Fish, Patrol Officer, Kate Asfeld, Staff Reporter, The Star Post, and the following high school students: Cassidy Boeckermann and Myra Kotschevar.

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 Keith Heitzman and seconded by Adam Rushmeyer to authorize electronic payments (payroll), transfers, and the payment of the following bills: Check Numbers 71310 to 71352. All voted for the motion and it carried.

Mayor Tom Kasner called for any corrections or additions to the minutes of the regular meeting of the council held on September 15th and hearing none declared them approved.

Open forum/public comments: none.

Mr. Mathiasen also presented to the council Payment Voucher No. 5 for the 2021 Capital Improvement Project. Mr. Mathiasen noted the payment voucher includes restoration work and utility testing. After due discussion and upon recommendation from the City engineer, a motion was made by Al Amdahl and seconded by Keith Heitzman to approve final Payment Voucher No. 5 to Breitbach Construction Company, Elrosa, MN, in the amount of \$51,869.81. All voted for the motion and it carried.

Councilor Keith Heitzman, Albany Golf Club Liaison, updated the council on pedestrian/customer and golf cart access improvements to the clubhouse and Toptracer buildings. Mr. Heitzman noted many improvements on the course (tee boxes/cart paths, etc.) are ongoing and should be substantially completed this fall.

Mr. Schneider informed the council written shut-off notices were mailed to several property owners who have delinquent water bills. Mr. Schneider noted a few have not made any payments since May of 2020 because the council had given property owners the opportunity to defer payments during the governor's COVID-19 restrictions. Mr. Schneider noted the restrictions were lifted in July and those property owners who are delinquent have until October 18th to pay past due amounts and if not, their water will be discontinued. Mayor Tom Kasner, with the consensus of the Council, directed Mr. Schneider to proceed to collect the unpaid amount and if several accounts remain unpaid, the amount will be certified to the County Auditor to be collected as a special assessment in the year 2022.

Mr. Schneider also informed the council to consider amending Ordinance 71, Animals, for the purpose of not requiring dog owners to annually register their dog. Mr. Schneider noted for the past fifty-years dogs have been registered to ensure rabies vaccination and impoundment of dogs running at-large was a common practice. Mr. Schneider noted the police department no longer impounds dogs and every dog has rabies vaccination tags due to the fact that there are several small animal veterinarians compared to years ago the ensure annual vaccinations. Mr. Schneider also noted the following: 1) police department does not impound dogs, 2) public works department has no facility for impoundment, 3) local veterinarians do not have the facilities to impound stray dogs; and 4) it's cost prohibitive for our officers to transport dogs to Tri-county Humane Society in St. Cloud. Mayor Tom Kasner, with the consensus of the council, directed Mr. Schneider to prepare an amendment to the said Ordinance for the next meeting to consider discontinuing annual registration of dogs in the city effective January 1, 2022.

The council took notice of a proposed Assignment and Assumption of Liability Agreement on a request by Jon Ruzicka, Marcus & Millichap, Minneapolis, MN, a broker facilitating the sale of the Baymont Inn & Suites, 820 Shamrock Lane. Mr. Schneider informed the Council pursuant to a Tax Increment Financing (TIF) agreement, any sale of the property requires city approval which has been done several times in the past for this property. Mr. Schneider also noted TIF Redevelopment District No. 5 for the project will end December 31, 2023. After due discussion, a motion was made by Keith Heitzman and seconded by Adam Rushmeyer to authorize Mayor Tom Kasner to execute the said Agreement on behalf of the city. All voted for the motion and it carried.

The council took notice of a liability coverage waiver form prepared by the League of Minnesota Cities Insurance Trust, the City's Insurance carrier, relating to statutory tort liability limits to the extent of the coverage purchased for the year 2022. Mr. Schneider noted it's been common practice of the Council not to waive the monetary limits on municipal tort liability. After due discussion, a motion was made by Mayor Tom Kasner and seconded by Al Amdahl not to waive the monetary limits on municipal tort liability. All voted for the motion and it carried.

Mayor Tom Kasner announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, October 20, 2021, and adjourned the meeting at 7:00 PM.

Tom Schneider
Clerk/Adm.