

## NOTICE OF ALBANY CITY COUNCIL MEETING

There will be a 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, August 19, 2015, 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 August 5th
5. Open Forum/Public comment
6. Ben Ruley, GIS Conservationist, Stearns County Soil and Water Conservation District – discuss RESPEC Engineering's report on potential conservation practices projects and 2015 Clean Water Fund application
7. Jeremy Mathiasen, City Engineer -Project updates
8. Joseph Mergen, Public Works Supervisor
9. Laurie Dingmann, Park Board and Community Education Liaison
10. John R. Harlander, Street Department and Albany Township Liaison
11. Tom Kasner, Fire Department, EDA Board, and Equipment
12. Ozzie Carbajal, Police Chief – present Student Resource Officer (SRO) Agreement between Albany Area Schools and City of Albany
13. John Greer, Police Department and Planning Commission
14. Daron Gersch, Utility Department and Albany Golf Club
15. Tom Schneider, Clerk/Adm.
16. Mayor's announcements and letters
17. Announce next meeting date and adjourn

Tom Schneider  
Clerk/Adm.

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To:	Mr. Tom Schneider and Albany City Council City of Albany	From:	Jeremy Mathiasen St. Cloud Office
File:	193801690	Date:	August 14, 2015

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**Reference: Engineering Update for 8/19/15 Council Meeting**

**Railroad Avenue Improvements**

The remaining work on the Railroad Avenue project includes some sidewalk repair work and the phase 2 re-striping. The Contractor is working with his subcontractors and I hope to have some hard dates for you at the meeting on Wednesday.

**2014 Church Avenue Improvements (5<sup>th</sup> Street to 8<sup>th</sup> Street)**

A final project walk through and punch list will be prepared this coming week and we are hopeful that the project will be completed and ready for close out at your first meeting in September.

**2015 Capital Improvements**

A mid-September preconstruction meeting is being scheduled with the Contractor. Work is expected to begin towards the end of September.

The private sewer service easement location is currently being reviewed by property owners. Upon receiving their feedback we will prepare the easement sketch and legal description, and the City Attorney will draft the easement language and prepare for signatures.

**Albany Stormwater grant applications**

Tyler Johnson attended the Stormwater grant meeting with the City and Stearns County Soil and Water Conservation on Wednesday of this week to further discuss the potential sediment and volume control projects discussed at the last council meeting. We are currently following up with the County based upon the input and revisions discussed at the meeting.

## SCHOOL RESOURCE OFFICER AGREEMENT

This Agreement is made, this 5<sup>th</sup> day of August 2015, by and between the SCHOOL DISTRICT OF Albany Area Schools (hereinafter "School District"), and the CITY OF ALBANY CITY(hereinafter "City") as follows:

### WITNESSETH:

WHEREAS, the City agrees to provide the School District a School Resources Officer (SRO) Program in the School District; and

WHEREAS, the School District and City desire to set forth in this SRO Agreement the specific terms and conditions of the services to be performed and provided by the SROs in the School District;

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

#### **1.) Cost of the SRO Program.**

A.) Duration – This agreement shall remain in full force and effect except if modified by the mutual consent of the School Board and City of Albany or unless terminated as provided by law, or by written resignation.

B.) Duty Year – The SRO's duty year begins August 25, 2015 and ends June 3, 2016. Vacation days and holidays will align with the school district calendar and be approved by the Chief of Police and principal.

C.) Additional Services – The SRO will be assigned to extracurricular and other assignments as determined by the principal and the Chief of Police.

D.) Compensation – The School Board agrees to pay the City of Albany \$20,000 annually for SRO services. This constitutes a 50% position with hours to be determined by the Chief of Police and principal. The payment will be made in two equal installments on January 15 and June 10.

E.) Other Provisions – The School District will provide the SRO a computer, confidential workspace, and phone (landline). Requests for additional provisions will need the approval of the School District and Chief of Police.

#### **2.) Employment of School Resource Officers.**

A.) The SROs shall be employees of the City and shall be subject to the administration, supervision and control of the City.

B.) The SROs shall be subject to all personnel policies and practices of the City except as such policies or practices may be modified by the terms and conditions of this Agreement.

C.) The City, in its sole discretion, shall have the power and authority to hire, discharge, and discipline SROs.

D.) One SRO shall be assigned to serve all buildings of the School District.

### **3.) Duty Hours**

- A.) SRO duty hours shall be determined by the Police Chief and principal. Whenever possible, it is the intent of the parties that the SRO's duty hours shall conform to the school day.
- B.) It is understood and agreed that the time spent by SROs attending municipal court, juvenile court, and/or criminal cases arising from and/or out of their employment as an SRO shall be considered as hours worked under this agreement.
- C.) In the event an SRO is absent from work, the SRO shall notify his or her supervisor in the Police Department and the principal of the school to which the SRO is assigned.
- D.) The SRO shall respond to police calls in the City and the School District understands that the SRO will leave school in such cases.

### **4.) TERM OF AGREEMENT.**

The initial term of this Agreement is two years commencing on the 25<sup>th</sup> day of August, 2015, and ending on the 9<sup>th</sup> of June, 2017, however, should either party encounter budgetary constraints that make the continuation of this agreement impractical, then either party may cancel this agreement upon sixty day notice to the other. This agreement shall be automatically renewed for successive one year periods unless either party requests termination of modification of this agreement. This request will be made in writing.

### **5.) DUTIES OF SCHOOL RESOURCE OFFICERS.**

The SRO's duties will include, but not be limited to, the following:

- A.) To be visible, active law enforcement figure on campus dealing with law enforcement matters and school code violations originating on the assigned campus. As to school code violations, the SRO will take the student to the principal's office for discipline to be meted out by school officials.
- B.) To act as the designee for the campus administrator in maintaining the physical plant of the assigned campus to provide a safe environment as to law enforcement matters and school code violations. This includes building(s), grounds, parking lot(s), lockers and other public school property.
- C.) To provide a classroom resource for law education using approved materials.
- D.) To be a resource for students which will enable them to be associated with a law enforcement figure and role model in the students' environment.
- E.) To be a resource for teachers, parents and students for conferences on an individual basis dealing with individual problems or questions, particularly in the area of controlled substances.

F.) To make appearances before site councils, parent groups, and other groups associated with the campus and as a speaker on a variety of requested topics, particularly drug and alcohol abuse.

G.) To document activities of an SRO on and off campus and as a compiler of a monthly report to be provided to the City and to the principal of the assigned school.

H.) The SRO will be involved in school discipline. When it pertains to preventing a disruption that would, if ignored, place students, faculty and staff at risk of harm, the SRO will resolve the problem to preserve the school climate.

I.) The SRO shall arrest students for unlawful conduct where appropriate. IN ALL OTHER CASES, disciplining students is a School District responsibility.

J.) It will be the responsibility of the SRO to report all crimes originating on the campus to the City. Information on cases that are worked off-campus by the City or other agencies involving students on a campus served by an SRO will be provided to the SRO, but the SRO will not normally be actively involved in off-campus investigation(s) during the school term.

K.) Subject to Government Data Practices Act limitations, the SRO will share information with the administrator about persons and conditions that pertain to campus safety concerns.

L.) The SRO will be familiar with helpful community agencies, such as mental health clinics, drug treatment centers, etc., that offer assistance to dependency-and delinquency-prone youths and their families. Referrals will be made when necessary.

M.) The SRO and the principal will develop plans and strategies to prevent and/or minimize dangerous situations which might result in student unrest.

N.) The SRO will coordinate all of his/her activities with the principal and staff members concerned and will seek permission, guidance, and advice prior to enacting any programs within the school.

O.) The SRO may be asked to provide community wide crime prevention presentations.

P.) SROs will wear approved department uniform, formal business attire or business casual with appropriate logos and name badges depending on the time of school year, the type of school activity or program, and the requests of the school and/or police department. The Chief of Police and the principal shall jointly set expectations and resolve any disputes in this area.

Q.) SROs will wear their department authorized duty weapons in accordance with department policy.

## **6.) Chain of Command.**

A.) As employees of the City, SROs will be subject to the chain of command of the Albany Police Department.

B.) In the performance of their duties, and subject to Government Data Practices Act limitations, SROs shall coordinate and communicate with the principal or the principals' designee of the school to which they are assigned.

## **7.) Transporting Students**

A.) SROs shall not transport students in City vehicles except:

- 1.) When the students are victims of a crime, under arrest, or some other emergency circumstances exist; and
- 2.) When students are suspended and/or sent home from school pursuant to school disciplinary actions, if the student's parent or guardian has refused or is unable to pick up the child within a reasonable time period and the student is disruptive/disorderly and his/her continued presence on campus is a threat to the safety and welfare of other students and school personnel.

B.) Students shall not be transported to any location unless it is determined that the student's parent, guardian or custodian is at the destination to which the student is being transported. SROs shall not transport students in their personal vehicles.

C.) SROs shall notify school personnel upon removing a student from campus.

## **8.) Access to Education Records.**

A.) School officials shall allow SROs to inspect and copy any public records maintained by the school to the extent allowed by law.

B.) If some information in a student's record is needed in an emergency to protect the health or safety of the student or other individuals, school officials shall disclose to the SRO that information which is needed to respond to the emergency situation based on the seriousness of the threat to someone's health or safety; the need of the information to meet the emergency situation and the extent to which time is of the essence.

C.) If confidential student record information is needed by an SRO, but no emergency situation exists, the information may be released only as allowed by law.


IN WITNESS WHEREOF, the parties have caused the execution of this Agreement in duplicate;  
on the day and year given above.

ATTEST:


\_\_\_\_\_  
Albany Chief of Police,  
Osvaldo Carbajal

\_\_\_\_\_  
Mayor of Albany, Daron Gersch

\_\_\_\_\_  
City Administrator, Tom Schneider

  
\_\_\_\_\_  
Board Chair, Donald Winkels

  
\_\_\_\_\_  
Board Clerk, Dean Dirkes

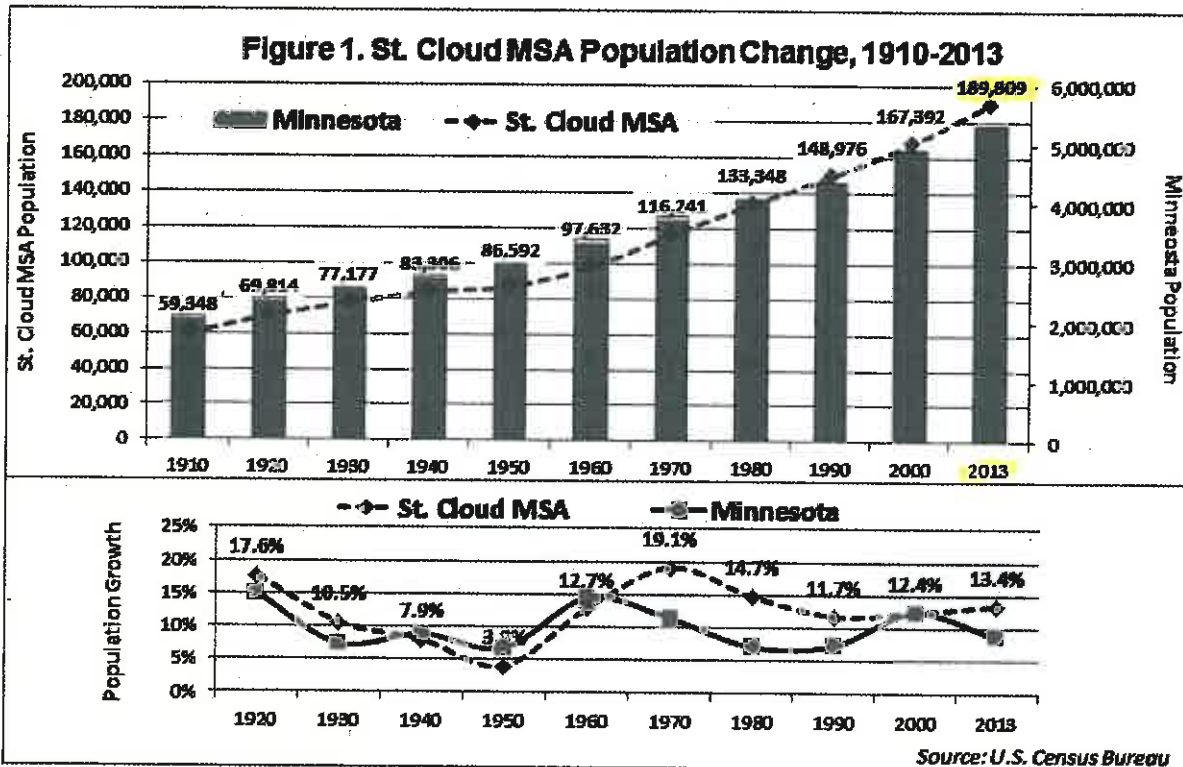
  
\_\_\_\_\_  
Superintendent, Greg Johnson

## Demographics

Stearns County is the largest county in Central Minnesota. With 151,053 people, Stearns County is the 7<sup>th</sup> largest county in the state (out of 87 counties), and the largest county in the St. Cloud Metropolitan Statistical Area (MSA), which is made up of two counties: Stearns and Benton County. According to data from the American Community Survey, the St. Cloud MSA is now home to nearly 190,000 people, after gaining just under 22,000 people over the last decade. Benton County was the 25<sup>th</sup> largest county, with 38,756 people. Stearns County gained about 17,887 people from 2000 to 2013, a 13.4 percent increase, and Benton County welcomed 4,530 new residents, a 13.2 percent rise. Both grew faster than the state of Minnesota, which gained 428,261 additional people over the last 13 years, an 8.7 percent statewide increase. (See Table 1.)

Geography	2000-2013 Change			
	2000	2013	Numeric	Percent
City of St. Cloud	59,107	65,996	+6,889	+11.7%
Benton County	34,226	38,756	+4,530	+13.2%
Stearns County	133,166	151,053	+17,887	+13.4%
<b>St. Cloud MSA</b>	<b>167,392</b>	<b>189,809</b>	<b>+22,417</b>	<b>+13.4%</b>
Minnesota	4,919,479	5,347,740	+428,261	+8.7%

*Source: U.S. Census Bureau, ACS 5 year estimate*



The St. Cloud MSA's recent population increase is part of a long-term trend. Over the last century, Stearns and Benton County gained about 130,000 people, after starting with just under 60,000 people in 1910. The two counties added just under 40,000 people in the first 50 years, then gained just over 90,000 people the last 50 years. The fastest growth occurred from 1960 to 1970, with each decade since then producing more than 10 percent gains, while the nearly

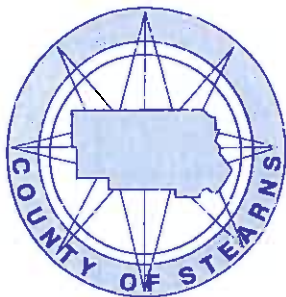
22,000 person increase from 2000 to 2010 was the largest gain. (See Figure 1.)

After adding 6,889 net new residents from 2000 to 2013, St. Cloud jumped into the top 10 largest cities in the state of Minnesota, landing in 9<sup>th</sup> place in 2013. With 65,996 people, St. Cloud ranks behind just Minneapolis, St. Paul, Rochester, Duluth, Bloomington, Brooklyn Park, and Plymouth, Eagan, and just ahead of Woodbury, Maple Grove, Coon Rapids, and Eden Prairie. At the 2000 Census, the city of St. Cloud was 11<sup>th</sup> largest overall with 59,107 people, but the city's 12 percent growth from 2000 to 2013 made it the 11<sup>th</sup> fastest growing large city in the state.

## Labor Market Information

1st National Bank Building ■ 332 Minnesota Street ■ Suite E200 ■ Saint Paul ■ Minnesota 55101-1351





# COUNTY OF STEARNS

## *Environmental Services Department*

Administration Center Rm 343 • 705 Courthouse Square • St. Cloud, MN 56303  
320-656-3613 • Fax 320-656-6484 • 1-800-450-0852

August 7, 2015

TO: PROPERTY OWNERS WITHIN ½ MILE OF AFFECTED PROPERTY  
CHAIR, CLERK & SUPERVISORS, ALBANY TOWNSHIP  
ALBANY SCHOOL DISTRICT  
CLERK, CITY OF ALBANY

FROM: STEARNS COUNTY PLANNING COMMISSION

A request to consider a rezoning request has been submitted by **Albany Township** to update the Albany Township zoning map in accordance with Section 4.10 of Stearns County Land Use and Zoning Ordinance #439. The properties under consideration are parcel #'s 01.00351.0100, 01.00081.0000, 01.00078.0004, 01.00116.0000, 01.00075.0000, 01.00198.0000, 01.00197.0002, 01.00197.0001, 01.00191.0000, 01.00193.0000, 01.00195.0500, 01.00197.0008, 01.00195.0000, 01.00219.0000, and 01.00211.0000, are located in Sections 10, 21 and 22, Albany Township (125/31).

A public hearing regarding the request for rezonings will be held by the Stearns County Planning Commission on **Thursday, August 20, 2015** beginning at **7:00 p.m. (Item #7)** in Room 121 at the Stearns County Service Center, 3301 County Road 138, Waite Park, MN. You may submit testimony by appearing at the above hearing or by submitting written testimony prior to the hearing date. Written testimony may be submitted to the Stearns County Environmental Services Department, Administration Center, Rm 343, 705 Courthouse Square, St. Cloud, MN 56303.

A copy of the request for rezoning is on file in the Environmental Services Department Office, Rm 343 of the County Administration Center, and is available for review during normal business hours. The application can also be viewed approximately one week prior to the meeting at [co.stearns.mn.us](http://co.stearns.mn.us) on Board and Committee Meetings. Action taken on this request will be available shortly after the meeting at the same website location.

Attendance at the hearing, regarding the proposed request, is not limited to those persons receiving copies of this notice. If you know of any interested property owner, who for any reason has not received a copy of this notice, it would be appreciated if you would inform them of this public hearing.

Sincerely,  
STEARNS COUNTY PLANNING COMMISSION

By Heidi Winskowski /ja  
Heidi Winskowski, Environmental Services

HW/ja

**BARRIER FREE:** This meeting will be accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please call (320)656-3613 early so arrangements can be made.