

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, August 16, 2023, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were councilors Keith Heitzman, John R. Harlander, Al Amdahl, and Adam Rushmeyer. Other's present were Police Chief Ozzie Carbajal, Joseph Mergen, Supervisor, Public Works Department, Jeremy Mathiasen, the city engineer with the firm Stantec, Inc., St. Cloud, Tim Hennagir, Staff Writer, the Star Post, Tom Schneider, Interim Administrator, Jon Stueve, and Christy Higgins.

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 Keith Heitzman to approve/authorize payroll (3782-3799), electronic payments, transfers, and the payment of the following bills: Check Numbers 72852-72900. 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 August 2nd and hearing none declared them approved.

Open forum/public comments: Jon Stueve, 23205 355th St., Albany, MN, appeared before the council to inform the council the annual Joel Birr Memorial Golf Tournament will be held on September 9th at the Albany Golf Club. Mr. Stueve noted proceeds from the tournament are used to support area programs, scholarships, and community improvements. Mr. Stueve noted an AED, automated external defibrillator, is being considered to be installed in North Park.

Mr. Mathiasen presented to the council Payment Voucher No. 8 for the 2022 Capital Improvement Project. Mr. Mathiasen noted the request for payment includes the bituminous wear course and some concrete work. After due discussion and upon recommendation from the city engineer, a motion was made by Al Amdahl and seconded by Adam Rushmeyer to approve Payment Voucher No. 8 to Breitbach Construction Company, Elrosa, MN, in the amount of \$139,966.61. All voted for the motion and it carried.

Police Chief Ozzie Carbajal appeared before the council to present an amendment to the city Personnel Policy, Section 12.E, for the purpose of paying police officers overtime after 80 hours. Mr. Carbajal noted the current policy only allows overtime for officers after 86 hours and recommended overtime be treated the same as regular employees. Mr. Schneider noted officers work week and schedule is much different than regular employees and the language has been in the policy for quite some time, but due to recent vacancies in the position and the length of time to recruit new officers, the request is warranted. After due discussion, a motion was made by John R. Harlander and seconded by Keith Heitzman to approve an amendment to the city Personnel Policy, Section 12.E, to pay officers overtime after 80 hours. All voted for the motion and it carried.

Police Chief Ozzie Carbajal informed the council Patrol Officer Bryce Sloan's field training program is progressing very well and explained the field training requirements. Mr. Carbajal also noted he has been in contract with a second individual who would like to serve as a Patrol Officer in the department and with the potential of officer shortages in the future, he recommended authorization to begin a background check and other employment requirements. Mr. Carbajal noted the 2nd individual would begin employment in November if successful completion of all the employment requirements. After due discussion, a motion was made by Al Amdahl and seconded by John R. Harlander to direct Police Chief Ozzie Carbajal to proceed with a background check and other employment requirements for the potential future Patrol Officer. All voted for the motion and it carried. Police Chief Ozzie Carbajal thanked the council for their support and confidence in his staff and department operations. Mayor Tom Kasner, on behalf of the community and other council members, thanked Police Chief Carbajal for his and his staff's public service in protecting the health and safety of the citizens of Albany.

Mr. Schneider presented to the council a proposed resolution to authorize the interim administrator to pay claims or invoices in an amount of \$10,000 or less prior to council meetings pursuant to MN State Statute 412.271, Subd. 7 and Subd. 8. Mr. Schneider noted the purpose of the resolution replaces the resolution adopted in January which allowed the city Administrator/Clerk/Treasurer to pay claims, but in the absence of the position, the proposed resolution is required. After due discussion, a motion was made by Adam Rushmeyer who introduced the following resolution and moved its adoption:

RESOLUTION 2023-23
RESOLUTION APPROVING THE DELEGATION OF
AUTHORITY FOR PAYING CLAIMS PRESENTED TO THE CITY OF ALBANY

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 Al Amdahl, John R. Harlander, Adam Rushmeyer, and Keith Heitzman, and none voted against the same whereupon the said Resolution declared duly passed and adopted. The full text of the said Resolution is on file at city hall for public inspection during regular office hours.

The council took notice of a proposed revised job description for the position of city Administrator/Clerk/Treasurer. Mayor Tom Kasner noted he is comfortable in requiring applicants to have a four-year college degree, but for those individuals that don't, the job description should state education and/or municipal experience. Mayor Tom Kasner informed the council significant hands-on training will be given to the individual selected for the position whether a four-year degree or municipal experience. Mr. Harlander noted job posting of the position should be advertised with the League of Mn Cities and/or other publications in addition to the local newspaper and city website. Mayor Tom Kasner, with the consensus of the council, approved the job description to be amended to read Education and/or Municipal Experience and directed Mr. Schneider to post the job notice in the local newspaper, League of Mn Cities, and consider online employment platform called Indeed.

Mr. Schneider informed the council Redtail Development Group, LLC, 317 2nd St. SE, St. Michael, MN, would like to donate to the city their vacant lot (Parcel no. 40.25123.0000) adjacent to 8th Street or north of Medelberg Chiropractic office. Mr. Schneider noted there are levied assessments on the property from the 2019 Capital Improvements and the lot is not served with municipal water/sewer services. Mr. Schneider informed the council the best alternative is to sell the lot to one of the adjoining property owners. Mayor Tom Kasner, with the consensus of the council, directed Mr. Schneider to contact the owner of the lot and advise them the city is not interested in their request.

Mr. Schneider informed the council the State of Minnesota will pay the city a one-time public safety aid in the amount of \$122,600+/- on December 26, 2023. Mr. Schneider noted the aid can not be used for general purposes, but instead must be used to provide public safety such as but not limited to fire, police, rescue, and emergency services. Mr. Schneider noted the council may consider use of the aid at a future council meeting.

Mr. Schneider also informed the council the MN Legislature passed the adult-use cannabis bill this past session, legalizing the use, possession, and sale of cannabis in Minnesota. Mr. Schneider noted the possession and personal growing of cannabis is legal as of August 1st and retail, agricultural, and manufacturing cannabis businesses will likely become licensed in early 2025. Mr. Schneider noted several cities and counties in Minnesota have adopted an ordinance prohibiting the use of cannabis, cannabis derived products, cigarettes, cigars, e-pipes, vape pens, etc., in public places that include public streets, alleys, sidewalks, and parks. Mr. Schneider informed the council Police Chief Ozzie Carbajal and the city attorney will prepare a draft ordinance in the near future for the council to review.

Mayor Tom Kasner announced the next regular council meeting for 6:30 o'clock or as soon as thereafter on Wednesday, September 6th and adjourned the meeting at 7:20 PM.

Tom Schneider, Interim Administrator