

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, December 20, 2017, in the Council Room at 400 Railroad Avenue for the said City.

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

Also present were: Tom Schneider, Clerk/Adm., Jeremy Mathiasen, City Engineer, with Stantec, Inc., Joe Mergen, Public Works Supervisor, Mike Kosik, Editor, Albany Enterprise, and Ozzie Carbajal, Albany Police Chief. Albany High School students present were Samantha Cress, Lauryn Zwiener, Jordan Ranschar, Samuel Scherping, Evan Czajkowski, and Elisha Duckson.

The Council recited the Pledge of Allegiance.

After due discussion, a motion was made by Tom Kasner and seconded by John R. Harlander to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 67843 to 67876 and 16766 to 16815. All voted for the motion and it carried.

Mayor Daron Gersch called for any corrections or additions to the minutes of the regular meeting of the Council held on December 6<sup>th</sup> and hearing none declared them approved.

Open forum/public comment: none

Jason Bergmann, Executive Director, Mother of Mercy Foundation, 230 Church Avenue, appeared before the Council to request approval of an application for a Large Gathering and a Temporary On-sale Liquor license for their 3<sup>rd</sup> annual 2018 Rock the Prairie musical benefit concert to be held on Saturday, September 8<sup>th</sup> on land owned by Mother of Mercy Campus of Care east of the Albany Golf Club. Mr. Bergmann noted that several improvements were made to the music grounds and in the future, camping on-site may be an option, but yet to be determined. Mr. Carbajal informed the Council that there were no issues by the Police Department and would not object to providing support for the 2018 benefit. After due discussion, a motion was made by John R. Harlander and seconded by Keith Heitzman to approve the Large Gathering application and a Temporary On-sale Liquor license for the 2018 Rock the Prairie musical event to be held on Saturday, September 8<sup>th</sup> on land owned by Mother of Mercy Campus of Care east of the Albany Golf Club. All voted for the motion and it carried.

Jason Murray, the City's Financial Consultant, with the firm of David Drown Associates, appeared before the Council to discuss tax increment finance (TIF) transfer of funds and recommendation to decertify TIF Districts No. 3 and No. 12 by yearend. Mr. Murray informed the Council that the fund balance in TIF District No. 3 is zero and no payment to Stearns County for redistribution of funds is required. Mr. Murray noted that TIF District No. 12 has an estimated fund balance of \$24,656 at the end of the year and the excess increment should be returned to Stearns County for redistribution to the taxing jurisdictions; whereby the City should be reimbursed \$8,150+/- which can be allocated to the general fund. Mr. Murray noted that no resolution is required to decertify the aforementioned TIF Districts, but the Council is required to complete a Confirmation of Decertified TIF District form and to submit to the Stearns County Auditor by the end of the year. After due discussion and upon the recommendation of Mr. Murray, a motion was made by Keith Heitzman and seconded by Al Amdahl to approve the decertification of TIF Districts No. 3 and No. 12 and authorization for the City Clerk/Adm. to complete the Confirmation of Decertified TIF District form for each district. All voted for the motion and it carried. Mr. Schneider noted that payment of \$24,656 from TIF District No. 12 funds will be made to Stearns County prior to yearend.

Mr. Mathiasen appeared before the Council to inform the Council that the following bids were opened for the 2018 North Lake Storm Water Improvements at 11:00 AM on Thursday, December 7<sup>th</sup> at City Hall:

<u>Contractor's Name</u>	<u>Bid</u>
Craig Bardson Excavating, Inc.	\$197,959
Kotzer Excavating, Inc.	\$207,386
Lange Trenching, Inc.	\$210,089
Landwehr Construction, Inc.	\$229,397
New Look Contracting, Inc.	\$284,108
US SiteWork	\$320,468
Central Specialties, Inc.	\$324,914
Sunram Construction, Inc.	\$401,865

Mr. Mathiasen noted that his construction estimate was \$183,000 and that the total funds for the project is \$190,580. Mr. Mathiasen noted that the material for the iron enhanced sand filter and plantings in the rain gardens have increased the construction costs. Mr. Mathiasen noted that he will meet with Wayne Cymbaluk, Stearns County Water and Soil Conservation District, to discuss ways of reducing the amount of storm water treatment in the wet pond and planting alternatives to save a significant amount of construction costs. Mayor Daron Gersch noted that the City and Stearns County are in partnership to fund the improvements and any modifications to the specifications should be considered to lower the construction costs, but phosphorus removal from the storm water should remain a high priority. Mr. Mathiasen informed the Council not to accept the low bid until he has had a chance to meet with Mr. Cymbaluk to review the bid specifications and other additional funding opportunities.

Mr. Mathiasen informed the Council that a contractor hired by the Minnesota Department of Transportation (MnDOT) will be on site to remove trees within the right-of-way on 1<sup>st</sup> Street (State HWY #238) north of Railroad Avenue sometime between January 2<sup>nd</sup> and March 31<sup>st</sup> for the 2018 1<sup>st</sup> Street Improvements. Mr. Mathiasen noted that MnDOT is the lead agency for the said Improvements and all trees scheduled for removal will be marked accordingly.

Mr. Mergen informed the Council that he received an estimate of \$17,885 to replace the halogen light bulbs with new LED lighting on the ornamental street posts, City Hall parking lot lights, City owned lighting near Interstate 94, and the parking lot lighting at the Water Treatment Plant. Mr. Mergen noted that the City is eligible for a \$4,000 rebate from XCEL Energy and the City would see annual energy savings in the amount of \$3,000+/- . Mr. Mergen noted that annual halogen bulb replacement has been anywhere from \$500 to \$1,000 and recommended that the City move forward with new LED lighting. Mayor Daron Gersch, with the consensus of the Council directed Mr. Mergen to proceed with the replacement.

Mr. Heitzman, Albany Golf Club Liaison, reported to the Council the year-to-date (2017) unaudited revenue and expenses of the club. Mr. Heitzman noted that there were no unusual activities to report and the Board approved the 2018 membership and course fees which will be mailed to all members.

Mr. Schneider presented proposed 2018 Albany Schedule of Fees and Charges, "Appendix A" beginning January 1, 2018. After due discussion, a motion was made by Mayor Daron Gersch who introduced the following Ordinance and moved its adoption:

ORDINANCE 2017-02  
APPENDIX "A"  
ALBANY SCHEDULE OF FEES AND CHARGES

IT IS HEREBY ORDAINED, that Appendix "A", Albany Schedule of Fees and Charges 2017, is hereby revoked, and that Appendix "A", Albany Schedule of Fees and Charges 2018, attached hereto and incorporated herein as Exhibit A is hereby enacted in its place.

This Ordinance shall become effective on January 1, 2018, following adoption and publication.

This Ordinance was approved by the majority of the City Council of Albany on this 20<sup>th</sup> day of December, 2017.

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Daron Gersch, Mayor

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Tom Schneider, Clerk/Administrator

( S E A L )

This amendment was published in the Albany Enterprise on December 27, 2017.

The motion for the foregoing Ordinance 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 Al Amdahl, John R. Harlander, Tom Kasner, and Keith Heitzman, and none voted against the same whereupon the said Ordinance declared duly passed and adopted. The full text of the said Appendix “A”, Albany Schedule of Fees and Charges 2018, is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

The Council took notice of the 2018 City Employee Personnel Policy. Mr. Schneider informed the Council that minor additions and corrections were made by the City Attorney and recommended approval. After due discussion, a motion was made by Keith Heitzman and seconded by John R. Harlander to approve the 2018 City Employee Personnel Policy. All voted for the motion and it carried.

The Council took notice of an amendment to Ordinance 60, Liquor. Mr. Schneider informed the Council that the purpose of the amendment is to correct a typo and align the language as far as when the Council can suspend versus revoke and for which violations. After due discussion, a motion was made by Tom Kasner who introduced the following amendment to Ordinance 60, Liquor:

CITY OF ALBANY  
AMENDMENT TO ORDINANCE 60  
LIQUOR ORDINANCE

The motion for the foregoing amendment was seconded by Mayor Daron Gersch and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Daron Gersch, Councilors Al Amdahl, John R. Harlander, Tom Kasner, and Keith Heitzman, and none voted against the same whereupon the said amendment declared duly passed and adopted. The full text of the said amendment is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Mr. Schneider presented to the Council a proposed 2018 Computer, E-mail, Cellular Phones, Voice Mail, Internet Use, and Social Media Policy. Mr. Schneider noted that the terms of the policy apply to City employees, elected, and appointed officials. Mr. Schneider also noted that the 2014 Council Members Technology Device Policy is revoked and replaced with the new policy. After due discussion, a motion was made by Al Amdahl and seconded by John R. Harlander to approve the 2018 Computer, E-mail, Cellular Phones, Voice Mail, Internet Use, and Social Media Policy. All voted for the motion and it carried.

Mr. Schneider informed the Council that the five-year Albany Economic Development Authority (EDA) term of Councilor John R. Harlander expires at the end of the year and the five-year Planning Commission term of Joseph Wedel will expire at the end of the year. Mr. Schneider recommended that both individuals be re-appointed. After due discussion, a motion was made by Mayor Daron Gersch and seconded by Al Amdahl to reappoint Mr. Harlander to a five-year term on the EDA and Mr. Wedel to a five-year term on the Planning Commission. All voted for the motion and it carried.

The Council also took notice of a proposed Agreement between SafeAssure Consultants, Inc., Willmar, MN, and the City of Albany. Mr. Mergen informed the Council that the safety consultants provide quarterly safety training and loss control practices including OSHA compliance review. Mr. Mergen noted that the annual cost for the consulting services is \$3,521 and recommended approval. After due discussion, a motion was made by Tom Kasner and seconded by John R. Harlander to authorize the

City Clerk/Administrator to execute the said Agreement on behalf of the City of Albany. All voted for the motion and it carried.

Mr. Schneider also presented to the Council the proposed 2018 Budget and the amount of property taxes the City proposes to collect to pay for the costs of services the City will provide in the year 2018. After due discussion, a motion was made by Keith Heitzman who introduced the following Resolution and moved its adoption:

RESOLUTION 2017-16  
APPROVING THE 2017 TAX LEVY, COLLECTIBLE IN 2018  
Total Levy: \$819,732

The motion for the foregoing Resolution was seconded by John R. Harlander and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Daron Gersch, Councilors Al Amdahl, John R. Harlander, Tom Kasner, 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 and 2018 Budget is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Mr. Schneider informed the Council that he will transfer \$26,913 from the Police Department Capital Equipment Fund to the City's General Fund to cover the cost of a new squad the department purchased earlier in the year. Mayor Daron Gersch, with the consensus of the Council, directed Mr. Schneider to proceed with the said transfer.

Mayor Daron Gersch announced that CentraCare Health, St. Cloud, MN, purchased the vacant building formally owned by Avon Plastics, Inc. dba Master Mark Plastics, 30 Railroad Avenue for the purpose of building a new medical clinic. Mayor Daron Gersch noted that the vacant building will be demolished within the next few months. Mayor Daron Gersch also noted that CentraCare will continue to operate their medical clinic at 320 3<sup>rd</sup> Avenue until the construction of the new clinic is completed in the fall of 2018.

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, January 3, 2018 and adjourned the meeting at 7:30 PM.

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Tom Schneider  
Clerk/Adm.